



H. Gravé, inv. et del.

J. Scott, sculp.

M. CURTIUS,

Devoting himself for his Country

Published Feb. 23^d 1740, by J. & P. Knapton.



H. Gravelot, inv. et del.

J. Tassin, sculp.

M. CURTIUS,

Devoting himself for his Country

Published Feb. 23^d 1740, by J. & P. Knapton.

THE
ROMAN HISTORY

FROM THE
FOUNDATION of ROME
TO THE
BATTLE of ACTIUM:
THAT IS,
To the END of the COMMONWEALTH.

By Mr. R O L L I N,

*Late Principal of the University of Paris, Professor of Eloquence in the
Royal College, and Fellow of the Royal Academy of Inscriptions and
Belles-Lettres.*

Translated from the FRENCH.

V O L. II.

THE THIRD EDITION.
ILLUSTRATED WITH MAPS AND COPPER-PLATES.

L O N D O N,

Printed for J. RIVINGTON, R. BALDWIN, HAWES CLARKE
and COLLINS, R. HORSFIELD, W. JOHNSTON, W. OWEN,
T. CASLON, S. CROWDER, B. LAW, Z. STUART, ROBINSON
and ROBERTS, and NEWBERY and CARNAN.

MDCCLXVIII.

THE
ROMAN HISTORY

FOUNDATION OF ROME

BATTLE OF AGRIPPIN



CONTENTS of Vol. II.

BOOK V.

Sect. I. *WAR* with the *Volsci* and *Æqui*, and against the *Sabines*. The two *Consuls* triumph, notwithstanding

the opposition of the *Senate*. *Duilius* prevents the same *Tribunes* from being continued in office. Domestic troubles. The *Æqui* and *Volsci* advance to the gates of *Rome*. Fine speech of *Quintius*. The enemies are defeated. The *Roman* people dishonour themselves by a judgment which they pass against the *Ardeates*, 1

Sect. II. The *Tribunes* propose two laws, which occasion great tumults: the one for permitting the *Patrician* and *Plebeian* families to intermarry; the other for giving the *Plebeians* a share in the *Consulship*. Those marriages are permitted; and it is agreed that *Military Tribunes* with *Consular* authority, instead of *Consuls*, shall be elected, and *Plebeians* admitted into that office. Institution of *Censors*. Functions of those magistrates. Effects and advantages of the *Censorship*. The *Senate* send immediate aid to the *Ardeates*, attacked by the *Volsci*: they afterwards make them entire amends for the injury done them by the sentence of the *People*. Great famine at *Rome*. It gives *Sp. Mælius* room to entertain thoughts of making himself *King*. He is killed by *Servilius Abala*, master of the horse to the *Dictator* *L. Quintius Cincinnatus*, 18

Sect. III. *Roman* ambassadors killed by the order of *Tolumnius* *King* of the *Veientes*. That *King* is killed in battle by *Cossus*, who takes the second *Royal Spoils*, called *Spolia opima*. The duration of the *Censorship* is reduced to eighteen months. Singular Law in respect to *Candidates*. The *Consuls* are obliged to nominate a *Dictator*. They chose *Postumius Tubertus*, who gains a great victory over the *Æqui* and *Volsci*. *Mamercus Æmilius* is nominated *Dictator*. He also gains a great victory over the *Veientes* and *Fidenates*. The *Tribunes* of the *People* complain because the *Plebeians* are excluded offices. *Sempronius's* unfortunate campaign against the *Volsci*. Great action of *Tempanius*, which saves the army. *Tempanius's* wife answer to the *Tribunes* of the *People*. He is made *Tribune* of the *People*, 50

Sect. IV. Two new *Quæstors* for the army are instituted, which officers are still chosen out of the *Patricians*. Functions of the *Quæstors*. *Sempronius* is fined. A *Vestal virgin* accused and acquitted. Conspiracy of the slaves stifled in its birth. Misunderstanding of the generals followed with their defeat, which is retrieved by the *Dictator*. *Postumius*, one of the *Military Tribunes*, is stoned by his army. Punishment of that murder. Various divisions and wars. The *Plebeians* attain the *Quæstorship*. War against the *Volsci*. New troubles in the commonwealth. Pay of the *Roman* infantry first instituted. Siege of *Veii* begun, 70

C O N T E N T S:

B O O K VI.

Sect. I. *The Military Tribunes change the siege of Veii into a blockade, and resolve to make the army winter there. Complaints of the Tribunes of the People. Appius's fine harangue to refute them. A loss received before Veii redoubles the valour of the Romans. Admirable generosity of the Knights, and of the People. Sensible joy of the Senate. Pay for the horse also established. Complaints of the Tribunes of the People concerning the taxes. Election of the Tribunes of the People attended with some difficulty. Trial of two Military Tribunes. They are fined. Reasons why their punishment was so slight. The Plebeians at length obtain one place amongst the Military Tribunes,*

100

Sect. II. *Institution of the Læsternium for making the plague cease. A sudden increase of the waters of the Alban Lake gives occasion for sending to Delphi. Answer of that oracle. Licinius refuses the office of Military Tribune, and causes the election to fall upon his son. Camillus is declared Dictator. He re-instates affairs at Veii. When he is upon the point of taking that city, he consults the Senate about the spoils. The city is taken by the means of a mine. Fine saying of Camillus. Extraordinary joy of Rome. Triumph of Camillus. The tenth of the spoils consecrated to Apollo. The People demand to remove to Veii. New difficulty concerning the extent to be given the vow of the tenth. The Roman Ladies divest themselves of their jewels to supply the quantity of gold necessary for the present to Apollo. They are advantageously rewarded,*

118

Sect. III. *Expedition of Camillus against the Falisci. Treachery of a schoolmaster, who delivers up his pupils: Generosity of Camillus, who sends them back to their parents. The Falisci surrender themselves to the Romans. The deputies sent with a gold cup to Delphi, are taken by pirates. Generous conduct of Timasitheus their chief. Two Tribunes of the People condemned in a fine. Camillus strongly opposes the transmigration of the People to Veii. The Senate prevail upon the People by entreaties to reject the proposed law for removing to Veii. Death of one of the Censors. Voice heard by Cædicius concerning the Gauls. Camillus, accused unjustly by a Tribune of the People, prevents his condemnation, and retires into banishment to Ardea,*

135

Sect. IV. *The city of Clusium besieged by the Gauls, implores aid of the Romans, who send ambassadors to the besiegers. Those ambassadors joining the people of Clusium in a sally, the Gauls raise the siege, and march for Rome. The Romans, who take the field against them, are seized with a panic, and entirely defeated near Allia. The Gauls advance to Rome. A small body of troops retire into the Capitol with part of the Senate. The Vestals and Priests charge themselves with the care of the sacred things. Courage*

rage

C O N T E N T S.

rage of the old men who remain in the city. Piety of Albinus in respect to the Vestals who take refuge at Cære. The ancient Senators, in their robes of state, place themselves each at his door. The Gauls find Rome almost wholly abandoned. Massacre of the ancient Senators. The Gauls set the city on fire. They are repulsed in attacking the Capitol. Camillus defeats a considerable detachment of the Gauls near Ardea: Defeat of the Tuscans. Pious and bold action of Fabius Dorso. Camillus is declared Dictator by the Senate. The Geese save the Capitol. The Romans reduced to extremities capitulate. Camillus arrives that instant, and defeats the Gauls. They are entirely cut to pieces in a second battle. Camillus enters Rome in triumph. Reflections upon the taking of that city. The inhabitants of Cære rewarded. Temple erected to Aius Locutius. Honours rendered to the Geese, 145

B O O K VII.

Se^a. I. Fabius is cited to take his trial for having violated the law of nations in respect to the Gauls. An exact enquiry is made after the laws and treaties. The Volsci, Æqui, and Hetrurians, arm against Rome. Camillus is declared Dictator, defeats, and triumphs over all those people. The citizens, settled at Veii, are recalled to Rome. Four new tribes are instituted. Camillus terminates the war against the Antiates with success. War with the Volsci: they are defeated by the Dictator Cossus. Manlius attempts to make himself King. The Dictator imprisons him. The People murmur. Manlius is enlarged. He re-commences his intrigues. He is cited before the People, condemned to die, and thrown from the Tarpeian rock. Observations upon the names of the Romans, 178

Se^a. II. Different Colonies settled. War against the Volsci. Camillus is chosen one of the Military Tribunes to command the army. His extraordinary moderation in respect to one of his colleagues, whose fault he retrieves by the defeat of the enemy. His singular expedition against the people of Tusculum. Several wars of little importance, 205

Se^a. III. Law proposed by two Tribunes of the People concerning the distribution of lands, debts, and admitting Plebeians to the Consulship. The disputes are suspended by the arrival of the Gauls, who are defeated by Camillus. The same Camillus is elected Dictator, and terminates the divisions. The Senate consent, that one of the Consuls should be elected out of the Plebeians. A Plebeian Consul elected. Two new offices granted to the Senate, that of Prætor and that of Curule Ædile. The plague rages at Rome. Death of Camillus. Ceremony of the LECTISTERNIUM. Institution of the games called Ludi Scenici. Nail driven into the Temple of Jupiter by the Dictator, 214
Brief description of the functions of the Prætors, and of the manner of administering justice at Rome, 236

C O N T E N T S.

INTRODUCTION, 251

ARTICLE I.

Brief description of the functions of the Ædiles, ibid.

ARTICLE II.

Sect. I. *Of the Roman ways,* 269

Sect. II. *Of Aqueducts,* 272

Sect. III. *Of the Common Sewers and Drains,* 276

ARTICLE III.

Short dissertation upon the cruel treatment of debtors by their creditors, 279

B O O K VIII.

Sect. I. *Manlius is obliged to abdicate the Dictatorship. He is accused by the Tribunes, and saved by his son. Tribunes of the legions nominated by the People. M. Curtius devotes himself to the Dii Manes, and leaps into an abyss. Bad success of the first Plebeian Consul. The Hernici defeated by the Dictator Appius Claudius. Signal victory of young Manlius over a Gaul. Alliance renewed with the Latines. The Gauls defeated again by the Dictator Sulpicius. Law which fixes the interest of money at one per cent. Another law passed in the camp, to impose a new tax upon the manumission of slaves. Prohibition to assemble the People out of the city. Licinius Stolo condemned by his own law. Dictator chosen out of the People for the first time. Two Patrician Consuls. Vengeance taken of the inhabitants of Tarquinii. The Roman People pardon the city of Cære. The Plebeians re-instated in the Consulship. Affair of the debts terminated,* 290

Sect. II. *Censor elected out of the People. War against the Gauls and the Pirates of Greece. Valerius kills a Gaul in single combat, and is surnamed Corvus. He is created Consul at twenty-three years of age. The Pirates retire. Plague at Rome. Treaty with the Carthaginians. Interest reduced to half what it was before. Volsci, Antiates, and Aurunci defeated. Temple erected to Juno Moneta. The Romans, at the request of the inhabitants of Capua, turn their arms against the Samnites, new and formidable enemies. They gain a considerable victory over them under the command of the Consul Valerius. The other army, by the imprudence of the Consul Cornelius, is exposed to extreme danger, from which it is delivered by the valour and conduct of Decius, a legionary Tribune. The Samnites are entirely defeated. Valerius gains another battle,* 313

Sect. III. *The Roman soldiers sent into winter quarters at Capua, form a conspiracy against the inhabitants. It is discovered. They revolt against the Commonwealth itself. Valerius Corvus the Dictator appeases the sedition. The Samnites demand peace. The Latines haughtily require the Romans to consent, that one of the two Consuls shall be elected out of their nation. War is declared against*

C O N T E N T S.

against them. *Dream of the two Consuls.* *Manlius Torquatus* puts his son to death for having fought contrary to his orders. *Decius*, the other Consul, devotes himself for the army, which gains a famous victory over the *Latines*. *Reflections upon the action of Torquatus.* The war continued against the *Latines*. Three laws much against the Senate are passed. All the *Latin States* are conquered, and entirely subjected to the *Romans*. A *Vestal* is condemned. The *Prætorship* conferred upon a *Plebeian*. *Roman ladies* convicted of poisoning, and punished. 333

Se&t. IV. *Siege of Privernum.* That city is taken. War declared with the city of *Palæpolis*. Dispute concerning the pretended vicious creation of a Dictator. Death of *Alexander King of Epirus*. War with the *Samnites* renewed. *Palæpolis* taken. Regulation against creditors. War declared against the *Vestini*. They are defeated. *Papirius Cursor* is declared Dictator against the *Samnites*. His dispute with *Q. Fabius*, his master of the horse, who had given battle contrary to his orders, and whom he is for putting to death. He pardons him at last at the request of the People. The troops disgusted with the Dictator, express their discontent in a battle. He reconciles them. The *Samnites* are defeated, and obtain a truce for a year, 366

B O O K IX.

Se&t. I. The *Samnites* break the truce, and are entirely defeated. They make their submission, and are refused peace. *Pontius*, general of the *Samnites*, restores their courage, and makes them take arms. He lays an ambuscade for the *Romans* near *Caudium*: the latter give into it precipitately. Their army is shut up between two defiles. *Pontius* rejects the wise advice of *Herennius* his father. The *Romans* are reduced by necessity to accept the hard conditions imposed on them. *Pontius* makes them pass under the yoke, after which he dismisses them, keeping six hundred Knights as hostages for the observance of the convention made with the Consuls. Profound dejection of the soldiers, when they pass through *Capua*, and afterwards when they enter *Rome*. The Senate assembles. The convention is declared void, by the advice of *Postumius*, who had concluded and signed it himself as Consul. Himself, his colleague, and all the officers who had signed the convention, are delivered up to *Pontius*, who refuses to receive them. The *Samnites* lose two battles. They are made to pass under the yoke. *Luceria* is taken, and the six hundred hostages confined in it restored to the *Romans*. Praise of *Papirius Cursor*, 386

Se&t. II. Digression, wherein *Livy* examines what would probably have happened, if *Alexander the Great* had turned his arms against the *Romans*, after the conquest of *Asia*. Different wars against the *Samnites*. A Magistrate sent from *Rome* to govern *Capua*. Institution of two new Tribes. The Dictator *Mænlius*, reproached with being guilty of the same crime, for which he actually

C O N T E N T S.

usually prosecuted others, abdicates the Dictatorship, and justifies himself before the judges. Famous Censorship of Appius and Plautius. Appian way: Aqueduct. Family of the Potitii extinct. Tribunes of the legions elected by the people, as well as the Duumviri for the fleet. Players on the flute re-instated in their rights. Samnites defeated. War against the Hetrurians: considerable victories gained by the Romans. They grant the Hetrurians a truce for thirty years. Bloody battle between the Romans and the Samnites, which obliges the former to appoint a Dictator. The Consul Fabius nominates Papirius Cursor. The latter marches against the enemy. New victory gained by Fabius over the Hetrurians. The Umbrians threaten to march and attack Rome. They are defeated by Fabius. The Equi are overcome and almost entirely destroyed. C. Flavius the Register, son of a freed-man, is made Curule Edile. He makes public the Fasti or Juridical-days, of which only the Pontiffs had the keeping. He dedicates a temple notwithstanding their opposition. The Nobility endeavour to mortify him; his revenge. Fabius includes all the lower class of the People in four Tribes only. Solemn review of the Knights,

411

Sect. III. Two new colonies established. Equi checked. Grecian fleet repulsed. Wars against the Marsi and Hetrurians easily terminated. The Plebeians are admitted to the dignity of Pontiffs and Augurs. Law of appeals to the People renewed. Two Tribunes added to the number of those magistrates. The Hetrurians engage the Gauls to join them. The latter after having received the sums agreed on, refuse to perform conditions. War with the Hetrurians and Samnites. Fabius is elected Consul against his will: Decius Mus is given him for his colleague. They march against the Samnites, gain great advantages over them, and ravage their whole country. Ap. Claudius and L. Volumnius are chosen Consuls. Decius, to whom the command had been continued for six months, defeats the army of the Samnites, and obliges it to quit the country. It marches to join the Hetrurians. Decius takes several places in Samnium. Volumnius marches thither with his army, as Appius does into Hetruria, where he had little success. Volumnius removes with his army into Hetruria. He is very ill received by his colleague. The troops oblige him to stay there. The two Consuls gain a considerable victory over the Hetrurians, whom the Samnites had joined. Volumnius returns into Samnium, where he defeats the Samnites, and takes from them the booty they had made in Campania. News arrives from Hetruria, which occasions great consternation. The defeat of the Samnites abates the alarm. Two colonies are sent into Samnium. On the report of terrible preparations for a war in Hetruria, Q. Fabius and P. Decius are chosen Consuls.

447



THE



ITALY
PROPERLY SO CALLED
For the understanding M^r ROLLIN's
Roman History
BY THE S^r D'ANVILLE
Geographer in Ordinary to Lewis XV
December 1738.

Roman Miles each 754 Stadia.
Stadia or Furlongs of the Greeks 8 to a Mile.
French Leagues of 3000 Geometrical Paces.
NB. A Roman Mile consisted of 967 Paces
English, which is 33 Paces less than an Eng-
lish Mile; so that 100 Roman Miles are 96
Miles, 300 Paces English; & 30 French Leagues.

R.W. Scale sculp.

T H E
R O M A N H I S T O R Y
F R O M T H E
F O U N D A T I O N o f R O M E
T O T H E
B A T T L E o f A C T I U M.

B O O K T H E F I F T H.

THIS fifth book includes the space of forty-five years, from the 306th to the 351st year of Rome. It ends with the beginning of the siege of Veii.

S E C T. I.

War with the Volsci and Æqui, and against the Sabines. The two Consuls triumph, notwithstanding the opposition of the Senate. Duilius prevents the same Tribunes from being continued in office. Domestic troubles. The Æqui and Volsci advance to the gates of Rome. Fine speech of Quintius. The enemies are defeated. The Roman people dishonour themselves by a judgment which they pass against the Ardeates.

L. VALERIUS.

M. HORATIUS.

A. R. 306.
Ant. C.
446.

THE domestic troubles, occasioned by the bad conduct of the Decemvirs, being appeased by their abdication and punishment, affairs without doors became the serious attention of the public.

Dionys.
l. ii. p. 727
—729.
Liv. l. 3.
c. 60---63.

VOL. II.

B

Vale-

A. R. 306.

Ant. C.

446.

Valerius, one of the Consuls, set out with his army against the Æqui and Volsci, who had united their forces. As he knew that those people had conceived great contempt for the Roman troops, in consequence of the advantages they had gained over them, whilst under the command of the Decemvirs, far from undeceiving them, he industriously fomented their presumption, and endeavoured to augment their temerity, by affected evasions and reserve, as if he apprehended coming to blows with them. For this reason, he pitched his camp upon an eminence of very difficult access, surrounded it with a deep fosse, and took great care to fortify it well. The enemy often advanced to bid him defiance, insulting and reproaching him with cowardice. He however lay still, and kept close within his intrenchments. Some time after, having received advice, that the enemy had detached the best part of their troops to ravage the country of the Latines and Hernici, and that few remained to guard their camp, he marched out of his, and offered them battle. As nobody appeared, he continued the rest of the day under arms without moving. Night obliged him to retire, when he refreshed and rested his troops. The enemy recalled those in haste that were dispersed to plunder, who posted back, not all together, nor in good order, but in separate parties, and in the condition they were found, when they received news of the motion of the Romans. Early the next day, the Consul made his troops advance towards the enemy's camp, with the resolution to attack it if they did not come to a battle. After having waited a sufficient time, as nobody appeared, he gave the signal for the attack. The Æqui and Volsci, ashamed that intrenchments, and not arms and courage, should defend victorious armies, then quitted their camp in order to engage. Before all their troops were marched out, and had time to form themselves, Valerius attacked them with his infantry, and put them into disorder. At first they fell back: but upon being reproached by their generals for giving ground before beaten enemies,

mies, they resumed courage, and renewed the fight. The Consul, on his side, animated his soldiers. "He bade them remember, that this was the first day on which, become free, they had fought for their free country, no longer under an Appius, but Valerius, who had established its liberty. That they should now demonstrate, it was not owing to the soldiers, but the generals, that they had not been victorious in the former battles." Then advancing to the horse: "Brave Romans," said he, "you are now to support the dignity of your rank, and your honour. The foot have made the enemy give way: do you complete their disorder, and drive them out of the field of battle." The ardour of the troops was incredible. The enemy could not sustain so rude a charge, and broke. Abundance of them were killed in the battle and pursuit: and Valerius remained master of their camp with great spoils.

A.R. 306.
Ant. C.
446.

The news of this victory was soon carried to the other army that acted against the Sabines, and excited a great emulation there. Horatius, by skirmishing and slight engagements, in which his troops always had the advantage, had accustomed them to confide rather in their present valour, than to remember their past defeats under the Decemvirs. The Sabines, encouraged by the successes of the year before, incessantly harassed them, and reproached them with amusing themselves with petty encounters, whilst they were afraid to come to a decisive battle. These reproaches had more effect than they who made them would have desired. The Romans, enraged on one side by repeated insults, and animated on the other by the example of their fellow-soldiers, who were upon the point of returning victorious to Rome, pressed the Consul to lead them against the enemy. After having well assured himself of their disposition to engage, he ordered them to prepare for battle the next day. The Romans experienced from the Sabines in the action all that the vigour and courage of an enemy is capable when supported by great successes. Both soldiers

A. R. 306.
Ant. C.
446.

and officers, and especially their general, did prodigies of valour. The Roman horse however behaved so well on this occasion, and seconded the Consul so effectually, that he obtained a complete victory over the enemy. Great numbers of them were killed in the battle, and more taken prisoners. The Consul made himself master also of their camp, which they were reduced to abandon with their baggage, and all the spoils and prisoners they had taken from the Romans in the last war.

For both these victories separately gained over different enemies, the Senate, out of ill-will to the Consuls, decreed only one day of supplication and thanksgiving to the Gods. But the People, more equitable and religious, acquitted themselves of the same duty the following day; and this second solemnity, performed without the decree of the Senate, was more splendidly celebrated, and by a greater concourse of the People, than that of the day before. Narrowness of spirit and puerility is here evident in that Body, in other things so wise and venerable. Because they are dissatisfied with the Consuls, who seemed too much attached to the People in their eyes, they retrench a part of the homage, which it was usual to render the Gods upon the like occasions. But they carried the same disgust still farther.

The two Consuls concerted together to arrive near Rome almost at the same time, that is to say, within one day of one another. They summoned the Senate to assemble in the field of Mars, in order to render an account there of the success of the campaign. The principal Senators complained, that they were assembled in the midst of the soldiers with design to intimidate them. The Consuls, to leave them no room for such complaints, adjourned the assembly to a place called the Flaminian Meadows. There, they reported what each of them had done at the head of their armies, and demanded that the Senate would be pleased to grant them the honour of triumphing. They found every body entirely averse to them. Amongst those
who

L. VALERIUS, M. HORATIUS, Consuls.

5

who opposed so just a demand, none did it more warmly than C. Claudius, the uncle of Appius the Decemvir. The motive of his opposition was notoriously evident. His violence proceeded from the treatment of his nephew Appius, which he ascribed particularly to the two Consuls. His opinion was however followed by the majority, and they were refused triumphs. Provoked by that refusal, and the affront so unjustly offered them, they addressed themselves to the People, who unanimously voted them that honour. This was the first time that any one triumphed by an ordinance of the People without the consent of the Senate. We see that Body from time to time continually losing some one or other of its privileges; and may observe, that it is almost always some injustice of its own that occasions it.

A. R. 306.
Ant. C.
446.

This victory of the People and their Tribunes had almost occasioned new matter of trouble, by the combination the latter had entered into to cause themselves to be continued in their office. It happened fortunately to fall to Duilius's lot to preside at that election. He was a man of sense, who did not suffer himself to be hurried away with the stream, and directed his conduct by the view of the public good. Convinced that such continuation in office would render them extremely odious, and only tend to discredit the conduct of the People, he openly declared, that he would not suffer any of his colleagues to be re-elected. It was in vain for them to press him to leave the Tribes at liberty to vote as they thought fit; or, if he found any difficulty in that, to resign his place to another: he persisted to the last in his resolution. To confirm himself the more in it, and succeed the better in his design, he desired the Consuls to favour him with their presence at his tribunal, and asked them what views they had with respect to the assembly for the election of Consuls. As they answered, that they were determined to create new ones, he carried them with him to the assembly of the People, in order to strengthen himself.

Liv. l. 3.
c. 64.

A. R. 306.
Ant. C.
446.

by their suffrages, which, from magistrates so attached to the People as they were, could neither be suspected nor disagreeable. He there asked them what they would do in case the People, out of gratitude to them for the re-establishment of their liberty, and their great successes in the war, should re-elect them Consuls. They made the same answer, and protested, that however sensible they might be of the great honour intended them, they would not accept it. The People, admiring their perseverance and constancy in shewing themselves to the last the reverse of the Decenvirs, proceeded to the election, and chose first five new Tribunes. But Duilius, seeing the party his nine colleagues had made so strong, that none of their competitors for the Tribuneship were likely to have a sufficient number of voices, dismissed the assembly, and would not hold it afterwards for filling up the vacant places. He affirmed, and not without foundation, that he had satisfied the law, which no where mentioned, that it was necessary at once, and on the same day, to create all the ten Tribunes; and which on the contrary said in express terms, "that such persons as the first nominated shall adopt for their colleagues, shall enjoy the same privileges, and be deemed Tribunes as legally elected as themselves." The nine old ones had nothing to reply, and were obliged to acquiesce. Duilius quitted his office, equally in favour of the Senate and People. There are actions, and a certain conduct, so full of reason and equity in themselves, that nobody can refuse them their esteem and approbation; and if every body in office behaved in that manner, there would never be either troubles or complaints in states.

The new Tribunes, in the choice of those they were to nominate, to fill up their number, had great regard to the desire and recommendation of the Senators. They even chose two Patricians, who had been Consuls, Sp. Tarpeius and A. Haterius.

G. MACERINUS, C. JULIUS, Consuls.

LAR. HERMINIUS.

T. VIRGINIUS.

7

A. R. 307.

Ant. C.

445.

Nothing considerable happened under these Consuls Liv. 1. 3.
either within or without doors, and every thing re- c. 65.
mained in sufficient tranquillity: only L. Trebonius,
one of the Tribunes, to obviate the inconvenience
that happened the year before, passed a law which or-
dained, that, in the election of Tribunes, the People
for the future should nominate the whole ten them-
selves.

M. GEGANIUS MACERINUS.

C. JULIUS.

A. R. 308.

Ant. C.

444.

The Consuls having perceived some secret measures
taken by the Tribunes against the Patrician Youth,
which might soon blow up the flame of sedition, if
not remedied in time, found means to keep the People
within the bounds of their duty, by the resolution,
which they seemed to have taken, of levying an army
for a war with the Æqui and Volsci, but of which they
suspended the execution. Thus, without clashing with
the power of the Tribunes, or exposing the majesty
of the Senate to new insults, they established tran-
quillity at home and abroad, at least during the great-
est part of the year.

But in the latter months, the antipathy and division
of the two Orders began to appear. The young Pa-
tricians, always haughty and enterprizing, oppressed
such of the Plebeians as were weakest and most ex-
posed to injury, whilst the latter found neither the aid
nor support they had reason to expect from their Tri-
bunes; because the Tribunes themselves, through their
too great easiness and patience, were not exempt from
the injurious treatment and violence of the Patrician
youth. The People were dissatisfied on that account
with their Tribunes, and openly declared, that for the
maintenance and security of their persons and rights,
they had occasion for such magistrates as the Ici-

A. R. 308. lii *. The elder Senators on their side, were sensible, that
 Ant. C. 444. their youth were too turbulent, and carried things too far: But, as there was a kind of necessity for one of the parties to exceed the bounds of moderation, and it was impossible to keep the balance of government in an exact equilibrio, they thought it better that it should incline on their side, and that their youth should carry their pride and haughtiness too far, rather than their adversaries: so difficult is it, when the defence of liberty is in question, to observe a just medium, and not to depart from the strict rules of justice! Each side, under pretext of preserving its equality, took pains to depress the other; and in order to have nothing to apprehend or suffer from it, rendered itself terrible and oppressive: as if it was indispensibly necessary that there should be violence on one side, and that the one could not be secure from injury, without imposing it upon the other.

If we reflect on the disposition of mind so well described in this place by Livy, we shall find it the real source of all the troubles that embroiled the commonwealth. And in this respect, the Senate seems least excusable: because, as † Sallust observes, when there is a dispute between two parties, of which the one is weaker than the other, there seems to be reason for presuming, that the strongest is the aggressor. And indeed, without designing to excuse the People, we see the Senate on all occasions intent upon humbling and depressing them, as if the Plebeians had not been a part of the state as well as the Senators, and were incapable and unworthy of having any share in the government.

* Seniores contra patrum, ut nimis feroces suos credere juvenes esse, ita malle, si modus excedendus esset, suis, quam adversariis, superesse animos. Adæo moderatio tuendæ libertatis, dum æquari velle simulando ita se quisque extollit ut deprimat alium, in difficili est; cavendoque ne metuant homines; metuendos ultrò se efficiunt, & injuriam à nobis repulsam, tanquam aut facere aut pati necesse sit, injungimus aliis. LIV.

† In omni certamine, qui opulentior est, etiamsi accipit injuriam, tamen, quia plus potest, facere videtur. SALLUST. in bell. Jugurth.

Q. CAPITOLINUS, A. FURIUS, Consuls.

T. QUINTIUS CAPITOLINUS IV.

AGRIPPA FURIUS.

9

A. R. 309.

Ant. C.

443.

These Consuls found no sedition at home, nor war abroad actually on foot: but Rome was menaced both with the one and the other. The discord of the citizens could be prevented no longer, the Tribunes and People being extremely exasperated against the Senate, and the assemblies resounding every day with nothing but accusations against some Senator or other.

On the first rumour of these domestic feuds, the Liv. 1. 3.
Æqui and Volsci, as if they had been the signal of c. 66—70.
war to them, took arms. Their leaders, prompted by the desire of spoils, represented to them, "That every thing was in confusion at Rome; that neither order nor discipline were observed there; that the levies could not be made; that the People were solely employed in opposing the Senate in every thing; and that the ardour and vivacity the Romans formerly had against enemies without doors, they now turned against themselves, tearing each other like angry wolves. That the present was an happy occasion for surprizing and subjecting them." Having joined their forces, they first ravaged the country of the Latines; and as nobody appeared to oppose them, animated by the authors of the war, who exulted with joy, they advanced to the walls of Rome on the side next the gate Esquilina, destroying the whole country in the sight of the Romans by way of insult.

When they were marched back to Corbio, laden with booty without resistance, and in good order, the Consul Quintius called an assembly of the People, and spoke to them as follows. "Romans, though I am not conscious to myself of any crime, it is with extreme shame that I now appear in your assembly. Do you know, and shall posterity be told, that the Æqui and Volsci, scarce capable not long since of making head against the Hernici, came in arms with impunity to the walls of Rome in the fourth Consulship of T. Quintius! Had I foreseen, that this
" year

A. R. 309.

Ant. C.

443.

“ year was to be distinguished by such ignominy, I
 “ should have avoided the Consulship, either by vo-
 “ luntary banishment, or even death. Alas! I had
 “ enjoyed sufficient honours: I had lived long enough:
 “ I should have died in my third Consulship. For
 “ upon whom falls the contempt our enemies have
 “ expressed for us upon this occasion? Is it upon your
 “ Consuls, or upon yourselves, Romans? If it is to
 “ be ascribed to us, take the Consulship from persons
 “ so unworthy of it; and if that does not suffice,
 “ punish us as we deserve. But, if the fault be yours,
 “ may the Gods and men forgive you; we only desire
 “ that you should repent of it. No, Romans: they
 “ neither despised your want of courage, nor relied
 “ upon their own valour. They know themselves and
 “ you too well. Our divisions, which are the bane of
 “ this city, supply them their whole force and confi-
 “ dence. Whilst we can set no bounds to the desire
 “ of rule, nor you to the excessive love of liberty;
 “ whilst neither Patricians or Plebeians can endure
 “ each other: they have taken courage, and resumed
 “ their former daring. In the name of the Gods, Ro-
 “ mans, what would you have, what do you aim at?
 “ You have formed demands upon demands, projects
 “ upon projects, against us; and we have complied
 “ with them all. By a late undertaking, under pre-
 “ text of establishing a kind of equality in the state
 “ by new laws, you have infringed all our rights and
 “ privileges. We have suffered it, and we still suffer
 “ it. When will our discords end? When shall we
 “ consider ourselves as citizens of the same city, and
 “ as sons of the same country? Can you see without
 “ pain our lands destroyed with fire and sword, the
 “ spoils carried off with impunity, and the houses
 “ smoking and in flames? Though you are uncon-
 “ cerned about the public interest, you will each of you
 “ soon have an account of your particular losses in your
 “ lands and farms. Have you wherewithal here to re-
 “ imburse yourselves? Will your Tribunes repay you
 “ what you have lost? They will give you words and ha-
 “ rangues

“rangues as many as you please; accusations in abundance against the principal persons of the city, laws upon laws, and assemblies without number. But did any one of you ever leave those assemblies richer and better in his affairs than he came to them? What do you carry from them to your wives and children, except resentment, hatred and enmity public and private? against the fatal effects of which it is neither your own virtue nor innocence, but the aid, the arms, of strangers, that secure you. It was not so when you fought under us in the open field, not in the Forum under your Tribunes; when you made the enemy tremble with your warlike cries in battles, and not the Senators by your seditious noise in the assemblies. After having taken considerable spoils from the enemy, and made yourselves masters of their country, you then returned in triumph to your homes and household Gods, laden with spoils and glory, as well for yourselves as the public: whereas now you suffer the enemy to go hence enriched with your effects. Do you stay till the Æqui and Volsci come to rouse you from your lethargy within these walls, and pursue you to your own houses? Will it then be time enough to rouse and take arms?

“I am sensible that more agreeable things might be said to you: but, though I should not follow my natural inclination, necessity would now oblige me to speak truth rather than to flatter you. I should be very glad, Romans, to please you; but I had much rather preserve you, in whatsoever manner you may be disposed in respect to me.

“If then you can at length undeceive yourselves, and open your eyes to the manner in which your Tribunes lead you, and abuse your credulity; if you will resume the sentiments of your fathers, and return to your antient principles, I take upon me, on the forfeit of my life, to defeat and put to flight these insolent ravagers of our lands, to take from them their camp, and to transfer from our walls

“and

A. R. 309.
 Ant. C.
 443.

A. R. 309. “ and gates into their cities this terror of war, which
 Ant. C. “ now gives you such great and just alarms.”
 443.

Seldom or ever was the most popular harangue of a Tribune received more favourably than this discourse of the Consul, however awful and severe he was. The youth themselves, whose refusal, in contests of this kind, was a powerful resource against the endeavours of the Senate, breathed nothing but arms and war. The sight of the country-people, who took refuge in the city, and of those who had been driven out of their lands, and were covered with wounds, still more moving than any description the Consul could give of them, filled all the citizens with compassion, and at the same time, with a warm desire of revenge.

* When Quintius quitted this assembly, and entered the Senate, all eyes were fixed upon him with admiration, as the sole assertor of the majesty of the Roman name. The principal Senators said, “ That his speech was truly worthy of the Consular dignity, worthy of the Consulships with which he had been honoured, and of his whole life illustrious by the most glorious offices of the state, that he had often borne, and oftener deserved. That other Consuls had either sought abjectly to make their court to the People, by betraying the honour of their order; or had rendered them still more obdurate and untractable by supporting the rights of the Senate with too much rigour and haughtiness. That Quintius had admirably adapted his discourse to the present conjuncture, that is to say, had expressed himself in a manner equally proper to support the majesty of the Senate, and cement the good understanding between the two orders. That they all desired himself and his colleague to provide for the safety of the

* In Senatum ubi ventum est, ibi verò in Quintium omnes versi, ut unum vindicem majestatis Romanæ intueri; & primores patrum dignam dicere concionem imperio consulari, dignam tot Consulatibus antea actis, dignam vita omni plena honorum sæpe gestorum, sæpius meritorum. Alios Consules, aut per prodicionum dignitatis patrum Plebi adulatos, aut acerbè tuendo jura ordinis asperiores domando multitudinem fecisse: T. Quintium orationem majestatis patrum, concordiaque ordinum, & temporum imprimis habuisse. Liv.

state. That at the same time they requested the Tribunes to act in concert with the Consuls for removing the enemy from the walls and gates of the city, and to render the People docile and submissive to the desires of the Senate. That their common country, in so pressing a danger, when the enemy, after having ravaged the lands about Rome, kept the city in a manner besieged, addressed itself with confidence to the Tribunes, and implored their aid."

A. R. 309.
Ant. C.
443.

The levies were decreed by the Consuls, and made, not only without opposition, but with incredible promptitude. The Quæstors brought the ensigns out of the treasury, and caused them to be carried to the field of Mars. The troops marched away at ten in the morning the same day, and advanced ten miles from Rome. The next day they came in view of the enemy near Corbio, and encamped. The third day it was resolved to give battle without loss of time. On the side of the Romans, their just rage, enflamed by the boldness of the enemy in coming to insult them under the walls of Rome, and a warm desire of revenge, would admit no delay. As for the Æqui and Volsci, who saw there was no quarter to be expected for them from an enemy against whom they had so often revolted, despair itself exalted their courage, and made it necessary for them to fight valiantly.

* As both the Consuls were with the army, their power was equal. Agrippa, who knew that nothing is more contrary to the success of affairs than a divided command, and was sensible of Quintius's superior abilities in military affairs, resigned the whole authority to him. The latter, on his side, repaid as he ought the generosity and deference of his colleague in that submission to him, by communicating to him all his counsels, doing every thing in concert with him,

* In exercitu Romano cum duo Consules essent potestate pari; quod saluberrimum in administratione magnarum rerum est, summa imperii, concedente Agrippa, penes collegam erat. Et prælatus ille facilitati summittentis se comiter respondebat, communicando consilia laudisque, & æquando imparem sibi. Liv.

A. R. 309.
Ant. C.
443.

giving him a share in the glory of all the successes, and in making him his equal in all things without exception. A fine dispute of generosity this; and an excellent example for generals of armies, but rarely imitated!

Quintius commanded the right wing, Agrippa the left, and the lieutenant Sp. Posthumius Albus the centre. Serv. Sulpicius, another general, commanded the cavalry. The foot of the right wing fought with extraordinary bravery, and found a vigorous resistance on the side of the Volsci. Sulpicius with the horse broke through the enemy's main body; and might have returned the same way, before the enemy had time to rally and form themselves: but he thought it better to attack them in the rear, which he did directly, and would have put them into disorder by pushing them on that side, whilst they were engaged with the Roman infantry in front, if the cavalry of the Æqui and Volsci had not come up, and charged himself vigorously. Sulpicius then cried out to his troops, "That they had no time to lose: that they were upon the point of being surrounded, and of having their communication cut off with their own army, if they did not make an extraordinary effort against the enemy's horse. That only to put them to flight did not suffice; that it was absolutely necessary to cut both horses and men to pieces, in order to prevent their coming to blows, and renewing the battle a second time. That after having broke through the main body without any resistance, they would find little more from the horse." He did not speak to them in vain. The whole Roman cavalry charged the enemy's at the same instant, and put them to flight. Great part of them were killed with their horses by the spears of the Romans; who then attacked the foot again, and dispatched an aid du camp to the Consuls with advice of what had passed. The Romans on the wings had already some advantage. The news of the cavalry's victory animated them extremely, and on the contrary occasioned as great consternation amongst the Æqui, who already began to give way.

The

The centre of the enemy's army, which had been put into disorder at first by the Roman horse, was the first that broke. Quintius afterwards broke the left wing, and put it to flight. The right made more resistance, and cost more trouble. Agrippa, who was brave and full of fire, seeing that things went better every where than on his side, snatched an ensign out of the hands of the officer who carried it, and threw it amongst the enemy where the battle was warmest. The soldiers, through fear of losing that ensign, which was deemed the greatest of disgraces, threw themselves with fury upon the enemy, and put them to flight. The victory thus became universal. Quintius then sent to inform his colleague, that he was upon the point of attacking the enemy's camp; but deferred it till he knew whether he had put an end to the battle on his side: That if so, he would do well to join him with his troops, in order that the whole army might have an equal share in the spoils. Agrippa immediately advanced to his colleague; and after having congratulated each other upon their mutual success, they attacked the camp, where they found little resistance.

The Consuls marched back their troops to Rome, laden with the spoils they had taken from the enemy, without including those they had recovered, which were all that had been lost when their country was ravaged. It does not appear, says Livy, either that the Consuls demanded, or the Senate talked of granting them, a triumph; and no reason is given, either for their neglecting that honour, or despairing to obtain it. For my part, continues the same historian, as far as one may form conjectures concerning times so remote, I imagine, that as the Senate some years before had refused the honour of triumph to the Consuls Valerius and Horatius, who, besides the Æqui and Volsci, had conquered the Sabines, a very powerful people, the Consuls of this year, who had defeated but half those enemies, made a scruple of demanding a triumph, lest, if they obtained it, it might seem to be granted rather to persons than to merit.

How-

A. R. 309.
Ant. C.
443.

However that were, the Consuls were not the less esteemed and honoured by the public; and I believe my readers will unanimously concur in granting them the honour of a triumph, especially on account of the uncommon example each of them gave of a moderation and generosity, in my opinion, infinitely preferable to the victory itself, which was the effect of it: for a misunderstanding between the two Consuls might have prevented it. We but too commonly see the most important and best concerted projects rendered abortive by the jealousy and ill-will of a companion in command.

Liv. l. 3.
C. 71, 72.
Dionys.
l. 11. p. 729

The Romans dishonoured their victory over the Æqui and Volsci by a self-interested judgment which they passed some time after. The Aricini and Ardeates had long disputed the right to a small territory, for which they had fought many battles. Tired at length of war, they agreed to submit to the arbitration of the Roman People, and accordingly referred the difference to their decision. The cause was pleaded with great force on both sides: witnesses were also produced, and the People were upon the point of proceeding to vote, when a Roman Plebeian, of four-score and three years of age, named Scaptius, rose up abruptly, and declared to the Assembly, "That the territory in question belonged neither to the Aricini nor the Ardeates, but to the Roman People, as a dependence of Corioli. That his evidence could not be suspected, because he had been at the taking of that city, and had served twenty years when the Romans made themselves masters of it. That he had not long to live; but that he could not help claiming possession of a territory by his feeble voice, to the acquisition of which his armed hands had contributed. That he firmly advised the People not to pass judgment against themselves through a vicious and mistaken shame, notwithstanding the justice of their cause."

The Consuls, seeing that the assembly listened to Scaptius not only with silence, but a kind of approbation, called Gods and men to witness, that they did
not

not give their consent to the notorious injustice, which was upon the point of being committed; and accompanied with the principal Senators, they remonstrated to all the Tribes separately, "That the Roman People would dishonour themselves eternally, if, in a dispute which they were chosen to arbitrate, they adjudged a territory to themselves, to which they had never formed any pretension, in prejudice of the parties concerned: That though the lands in question were not of so small value as they really were in respect to the Roman People, and the revenues of them might be supposed to be very considerable, they would not gain so much by appropriating them to themselves, as they would lose by alienating the allies by so gross and manifest an injustice *; because losses in point of reputation and public faith are greater than can be valued or conceived." "And," said they, "shall the deputies of the two states carry home this news? Shall the allies, and enemies, of Rome be told it? What grief will it give the first, what joy the latter! Can one imagine, that the neighbouring people will attribute so unexampled a judgment to a man like Scaptius, without either name or credit, and in a word equally void of sense and shame? And is not the infamy it will reflect upon the Roman People most evident, who freely and in cool blood disgrace themselves for ever? For what else can be the consequence of such a proceeding?" The Consuls and Senators, truly concerned for the honour of the People, remonstrated to this effect in the strongest manner to the Tribunes and multitude, mingling the most affecting entreaties with representations so full of wisdom.

Both the one and the other were ineffectual. The Tribunes were no longer masters of the populace †: for it was common for the Tribunes to be more go-

* Nam famæ quidem & fidei damna majora esse, quam quæ æstimari possent. LIV.

† Tribuni ferè semper reguntur à multitudine magis, quam regunt. LIV.

A. R. 309.
Ant. C.
443.

verned by the multitude, than the multitude by them. It appears, that the suffrages were repeated three several times. Perhaps that was in effect of the remonstrances of the Tribunes. The Tribes, however, obstinately persisted in their opinion, and adjudged the territory in question to the Roman People. It is agreed, that it was their right, and ought to have been adjudged so, if the affair had been referred to the decision of others, and the Romans had claimed it as parties. But their right to it did not diminish the infamy of this sentence. It gave the Senate more concern, and appeared more iniquitous to them, than to the Aricini and Ardeates themselves. We shall see in the sequel that they made amends for this fault in the only manner in their power.

S E C T. II.

The Tribunes propose two laws, which occasion great tumults: the one for permitting the Patrician and Plebeian families to intermarry; the other for giving the Plebeians a share in the Consulship. Those marriages are permitted; and it is agreed that Military Tribunes with Consular authority, instead of Consuls, shall be elected, and Plebeians admitted into that office. Institution of Censors. Functions of those magistrates. Effects and advantages of the Censorship. The Senate send immediate aid to the Ardeates, attacked by the Volsci: they afterwards make them entire amends for the injury done them by the sentence of the People. Great famine at Rome. It gives Sp. Mælius room to entertain thoughts of making himself King. He is killed by Servilius Abala, master of the horse to the Dictator L. Quinctius Cincinnatus.

A. R. 310.
Ant. C.
442.

M. GENUCIUS.
C. CURTIUS.

VIOLENT tumults took place at Rome from the beginning of this year, occasioned by two new important Laws proposed by the Tribunes of the People.

ple. By the first, Canuleius, its author, demanded, that the Patricians and Plebeians should be permitted to intermarry, which was expressly prohibited by the Laws of the Twelve Tables: by the second, the Tribunes proposed that the Consuls should be elected indifferently out of the Senate and People, whereas till then only Patricians had been admitted to exercise that office.

A. R. 310.
Ant. C.
442.
Liv. l. 4.
c. 4—6.
Dionys.
l. II. p. 730
—736.

It is easy to judge how much these two demands alarmed the Senators. For which reason they received with joy the news, that the Ardeates, in resentment of the judgment given against them, had quitted the party of the Romans; that the Veientes had ravaged lands in the dependance of Rome; and that the Volsci and Æqui were making preparations for resuming their arms, because a place called Verrugo had been fortified, which seemed intended to awe them; so much did they prefer an unfortunate war to a shameful peace. Upon these advices, which were much exaggerated, the Senate decreed, that the levies should be made, and far greater preparations of war, if possible, than the year before in the Consulship of Quintius. The view of the Senate, in these rumours of war, was to put a stop to the enterprizes of the Tribunes: but they did not succeed in it. Canuleius declared in full Senate, that it was in vain for the Consuls to endeavour to impose upon the People by their usual terror of enemies ready to enter the country of Rome; and that he would sooner lose his life, than suffer any troops to be levied, before the two laws in question were accepted. Thus a new open war was declared between the two Orders of the State: a war of great violence, and carried on on both sides with all possible animosity. And indeed the subject of it was of the most affecting and important nature.

The Consuls said, "That the frantic violence of the Tribunes rose so high, as to be no longer supportable. That the enemies without doors were nothing in comparison with those Rome had in her bosom. That for the rest, the evil was not so much to be imputed to the

A. R. 310.

Ant. C.

442.

People, and their Tribunes, as to the Senate and Consuls. That what was considered and rewarded in a city, always gained ground and increased exceedingly : that citizens capable of serving their country in peace and war, were formed in that manner. That great rewards were granted at Rome to sedition, which always turned mightily to the advantage of those that excited it. That they might remember the state of grandeur and majesty in which they found the Senate when they first entered it, and see whether it could justly be said, that they would transmit its power augmented down to their children, as the People might with reason boast of having infinitely augmented theirs. That the same evils would always take place, whilst sedition continually terminated with success, and the authors of it were laden with honours and rewards. That the Tribunes, by the two Laws they proposed, struck at the most antient institutions, and the most sacred and venerable customs, of the Commonwealth. That by the Law which regarded marriages, they introduced an impure mixture of blood, and a confusion of auspices, as well public as private * ; so that a child who should be born in such marriages, half Patrician and half Plebeian, in a kind of war with himself in effect of being so compounded, would neither know his condition, of what rank he was, from what family he descended, nor the sacrifices proper and personal to his state. That not content to confound all rights human and divine in this manner, these disturbers of the public tranquillity rose in their pretensions so high as the Consulship. That at first they had talked of electing only one of the Consuls out of the People : that now they demanded that both should be indifferently chosen out of the Senators and Plebeians ; in which case the People would not fail to nominate the most seditious of their own Order : that in consequence they should have Canuleius, Icilius,

* Ut, qui natus sit, ignoret cujus sanguinis, quorum sacrorum sit ; dimidius patrum sit, dimidius plebis, ne secum quidem ipse concors.

Liv.

and the like, for Consuls. That they hoped the most high Jupiter would never suffer the majesty of the Consulship to be so grossly degraded: and that as to them, they had rather die a thousand deaths than concur to so infamous a disgrace.

A. R. 310.
Ant. C.
442.

“ Is there any thing,” said they, “ more irrational
“ and enormous than the conduct of the Tribunes?
“ They begin by exciting a war against us with the
“ neighbours, in sowing of discord at home; and
“ then prohibit arming the citizens for their defence.
“ They in a manner call in the enemy, and oppose
“ levying the troops to repulse them. And dares
“ Canuleius declare to us in open Senate, that if we
“ do not receive his Laws, as from some victor, he
“ will prevent the levies? To talk in such terms,
“ what is it but to threaten, that he will betray his
“ country, and deliver it up to the enemy? And in-
“ deed, what remains for him to do, except to put
“ himself at the head of the Æqui and Volsci, and
“ to attack the citadel and Capitol? Let this author
“ of discord know, that the Consuls are determined
“ to defend themselves rather against the guilt of their
“ own citizens, than the arms of the enemy.”

In this manner people talked in the Senate; and the reader must believe, that the Tribunes were not silent on their side. Canuleius explained himself in the assembly as follows. “ Romans, I have already often
“ observed, how much the Senators despise you, and
“ how unworthy they think you of living within the
“ walls of the same city with them: but I never per-
“ ceived it more manifestly than this day, in the vio-
“ lence and fury with which they rise up against our
“ laws. And notwithstanding, what do we pretend
“ to by these Laws, unless to make them sensible that
“ we are their fellow-citizens, and that if we have
“ not the same fortunes as they, we however are in-
“ habitants of the same country? By one of these
“ Laws we demand the liberty of marriage between
“ the two Orders. Now Marriage is often granted
“ to neighbours, and even strangers. Rome does

A. R. 310. " more, in conferring the freedom of the city upon
 Ant. C. " conquered enemies, a thing undoubtedly far more
 442. " considerable than marriage. By the other Law we
 " propose nothing new: we only claim, what has in
 " all times been the right of the Roman People, that
 " is, to confer honours upon whomsoever they think
 " worthy of them. What is there then in all this,
 " that deserves so much noise and uproar from the Se-
 " nators; that they are almost ready to fall upon me
 " with violence in their house; that they threaten not
 " to spare our persons, and to violate the power of the
 " Tribunes, all sacred as it is?

" How! If the Roman People be left at liberty to
 " confer the Consulship by their suffrages on whom
 " they think fit; if the Plebeians are not deprived of
 " the hope of attaining the first office in the state, in
 " case they are judged worthy of it, will it not be
 " possible for this state to subsist? will its dominion
 " be at an end? And to demand that a Plebeian may
 " be elected Consul, is it the same thing as to desire
 " to give that office to a slave or a freedman? Do you
 " perceive, Romans, in what contempt you are?
 " They would deprive you of part of this light of
 " heaven, if they could. It is with pain they suffer
 " you to breathe the same air with them, that you
 " have the use of speech, and the form of men. If
 " we believe them, it were a crime, an enormous
 " crime, to elect a Plebeian Consul. Though we are
 " not admitted to inspect the Fasti, and the Annals
 " of the Pontiffs, do we not know, what every stran-
 " ger knows, that the Consuls succeeded the Kings in
 " their office, and that they have no power nor pre-
 " eminence, but what the latter had before them?
 " And do you believe, Patricians, we never heard
 " that Numa Pompilius was sent for from his farm in
 " the country by order of the People and Senate, to
 " ascend the throne, and that he was neither a Patri-
 " cian, nor a Roman citizen? That L. Tarquinius
 " afterwards, who not only was neither of Roman,
 " nor even of Italian, extraction, the son of Dema-
 " ratus

" ratus of Corinth, and of Tarquini, where his fa- A. R. 310.
 " ther had settled, was made King in the life-time of Ant. C.
 " Ancus's children? That after him Servius Tullius, 442.
 " the son of a slave, attained the sovereignty by his
 " excellent qualities and extraordinary merit? Why
 " should I mention T. Tatius the Sabine, whom Ro-
 " mulus, the founder of our city, thought fit to asso-
 " ciate with himself in the government? We see then
 " that as long as regard has been had at Rome to me-
 " rit of whatsoever extraction, its dominions have
 " been enlarged, and its power augmented.

" Do you blush now to have a Plebeian Consul,
 " after our ancestors have not refused to have strangers
 " for their Kings, and have esteemed and rewarded
 " merit in them, since the extinction of the Sove-
 " reignty? For since then we have received the family
 " of the Claudii amongst us, and not only conferred
 " the freedom of the city upon them, but admitted
 " them into the Order of Patricians. A stranger
 " may become a Patrician, and afterwards Consul:
 " and shall a Roman citizen be excluded the Consul-
 " ship, solely because he is born a Plebeian? Do we
 " believe then, that it is impossible for the People to
 " produce a man of merit and courage, qualified for
 " the employments of peace and war, and one re-
 " sembling Numa, Tarquin, and Servius, in his at-
 " tributes? And if one of this character should hap-
 " pen to arise, shall we never suffer the helm of state
 " to be put into his hands? and shall we chuse to
 " have men for Consuls, like the Decemvirs, the most
 " wicked of mortals, and all of them Patricians,
 " rather than persons that resemble the best of our
 " Kings, whose births were not illustrious?

" But, perhaps, somebody will object, that no
 " Plebeian has been Consul since the expulsion of the
 " Kings. And what is to be inferred from thence?
 " Are we never to think of any new institution?
 " How many have been made since the commonwealth
 " subsisted? Who can imagine, in a city which is to
 " endure for ever, and to augment to infinity, but

A.R. 310. " that new offices, priesthoods, customs, and laws,
 Ant. C. " will be frequently instituted ?
 442.

" The law itself which prohibits the intermarriage
 " of the Patricians with the Plebeians, were they not
 " the Decemvirs who passed it some few years since,
 " to the great prejudice of the public, and the dis-
 " grace of the People ? Is there any thing in effect
 " more injurious or more contemptuous, than to de-
 " clare one part of the city unworthy of allying itself
 " with the other in marriage, as if it were polluted
 " and profane ? Is it not in some measure to be ex-
 " cluded, and to suffer a kind of banishment even
 " within the walls of the city, to be incapable of con-
 " tracting either alliance or affinity in it ?

" If you are convinced, that to mingle your blood
 " with that of the Plebeians, would be a stain to your
 " nobility, why do you not take wise but secret mea-
 " sures to preserve its pretended purity, by neither
 " chusing wives yourselves amongst us, nor permitting
 " your daughters and sisters to marry with any but
 " Patricians ? No Plebeian will offer violence to a
 " Patrician virgin : that would be invading the pecu-
 " liar privilege of the Patricians. Nobody will ever
 " force you to contract such alliances. But to forbid
 " them by a law, and prohibit marriages between
 " the Senators and People, this is what we hold inju-
 " rious to us. You might pass the same interdiction
 " in respect to the rich and poor. Why don't you
 " also forbid the Plebeians to live in the neighbour-
 " hood of the Patricians, to walk in the same streets,
 " to eat at the same table, or to be present in the
 " Forum, and in the same assemblies with them ?

" But to be brief, do you believe yourselves lords
 " and masters, and that you have a supreme authority
 " here ? When the Kings were expelled, was it to
 " give you absolute dominion, or to procure the com-
 " mon and equal liberty of all ? Are the People to
 " be suffered to pass a law, if they think it useful and
 " necessary ? or, as soon as they propose it, have you
 " a right, in order to punish them, to decree levies ?
 " and

“ and as soon as I the Tribune begin to call upon the
 “ Tribes to give their suffrages, shall you the Consul
 “ immediately oblige the youth to take the military
 “ oath, and march them to the camp, menacing both
 “ Tribune and People? I declare, Consuls, that the
 “ People shall be ready to take arms against the ene-
 “ my, of whom you tell us, whether real or supposed,
 “ if, in the first place, you consent, that the Patricians
 “ and Plebeians shall for the future make but one
 “ and the same People by the ties of marriage and
 “ mutual affinity; and in the second place, if the en-
 “ trance to honours be open to all persons of merit
 “ and valour; in order that the annual magistracy,
 “ vesting thus indifferently in the two orders of the
 “ state, may shew, that they are equally called upon
 “ to command and obey, in which true liberty con-
 “ sists. But if these two laws are opposed, talk as
 “ long as you will of wars, multiply the forces of the
 “ enemy, exaggerate the danger as if already at our
 “ door, not a man shall enter for the service, not a
 “ man shall take arms, nor fight for haughty masters,
 “ who disdain to associate themselves with us in pub-
 “ lic by honours, and in private by marriages.”

A. R. 310.
 Ant. C.
 442.

It is easy to judge, that this discourse did not con-
 vince the Patricians. The same resistance subsisted
 on their side, and the same warmth on that of the
 multitude. They had at their head a Tribune of
 great vigour and constancy, incapable of suffering
 himself either to be intimidated or disconcerted by
 threats, and resolved to pursue his point to the ut-
 most. They were no less obstinately determined than
 him not to give way; for in this dispute, the warmest
 and most affecting interests they had ever contested,
 were in question.

The Senate, in so delicate a conjuncture, judging
 condescension necessary, gave their consent to the law
 concerning marriages, in hopes that the Tribunes,
 contented with carrying that point, would either re-
 nounce their demand of Plebeian Consuls, or at least
 postpone

A. R. 310. postpone it till after the war; and in the mean time
 Ant. C. that they would agree to the levies.
 442.

They were mistaken. The other Tribunes, seeing that the victory which their colleague Canuleius had lately gained over the Patricians, did him great honour, and gave him infinite credit with the People, piqued themselves on their side upon acquiring equal glory, resolved to carry the second law also by dint of application, and swore upon their faith, which was the greatest oath they had amongst them, not to desist from their resolution, even though some of their body should suffer themselves to be swayed by the Senate in the affair. The report of the war increased every day, and their resistance to the levies in proportion. As the opposition of the Tribunes prevented any thing from being concluded in the Senate, the Consuls held particular assemblies in their houses, to which the principal Senators were invited. Things were now come to such extremities, as made it evident, that they must either yield the victory to the enemy, or the People. Valerius and Horatius were the two only persons of Consular dignity, who were not present at these assemblies; their too declared zeal for the People having rendered them suspected, if not odious. Claudius's advice armed the hands of the Consuls against the Tribunes. The Senators of greater age and wisdom, not being able to bear the mention of blood and slaughter, nor to consent to laying violent hands on the Tribunes, whose persons were declared sacred by the agreement made with the People, inclined to gentler methods. The advice of the latter was followed, and after a long deliberation, wherein various expedients were proposed for extricating affairs out of their present dangerous situation, they fell upon one at last, to the satisfaction of both parties: this was, instead of Consuls, to create three military Tribunes with the same authority, to be chosen indifferently out of the Patricians and People.

An assembly for that election was accordingly called; and never had the Plebeians been so ardent before

fore in making interest. Those who had distinguished themselves most either in speaking or acting, ran on all sides of the Forum, drest in the whitest robes, to solicit voices. On seeing them so active and eager, the Patricians, who were sensible how much the People were discontented and enraged, at first despaired of being able to attain any of the three offices they were going to confer. And in case they could have carried any one of them, it had been an infinite mortification to them, to reflect upon their being associated with such persons as the People were going to chuse, the declared enemies of the Senate and of the public good. Discouraged by all these considerations, they were determined not to stand for that office: but the elder Senators obliged them to offer themselves, that they might not seem to abandon their country entirely, and renounce their part in the government.

A. R. 310.
Ant. C.
442.

Candidati.

The result of this assembly shewed, that there is a great difference between a people in the heat and fury of disputes affecting their liberty and glory, and when they act in cool blood, and without passion, after those disputes are over. The People, contented that regard had been had to their demand, created none but Patricians Military Tribunes. "Where shall we now find, cries Livy, such moderation, equity, and greatness of soul, in a private person, as were then the character of the whole People: *Hanc modestiam, æquitatem, & altitudinem animi, ubi nunc in uno inveneris, quæ tunc populi universi fuit?*"

The * three hundred and tenth year from the foundation of Rome, Military Tribunes were elected for the first time in the room of Consuls; and A. Sempronius Atratinus, L. Atilius, and T. Cloelius, were chosen.

* Dodwell believes, that the Military Tribunes entered upon office at the end of the year 310, but that they did not act, properly speaking, till 311. As I follow him entirely in his chronology, I conform here to his manner of reckoning, though it appears to depart a little from that of Livy, who does not distinguish the year in which the magistrates entered upon office, from that wherein they exercise it.

A. R. 311.
Ant. C.
443.

A. SEMPRONIUS.

L. ATILIUS.

T. CLOELIUS. *

*Livy says
T. Cæci-
lius.
Liv. l. 4.
c. 7.
Dionys.
l. 11.
p. 736.

These Military Tribunes abdicated their office three months after they had entered upon it, because some essential formality had been omitted in their election. They were succeeded by Consuls; which the Tribunes of the People did not oppose, because they judged the election of Consuls less dishonourable to them, than the chusing Military Tribunes again out of the Patrician order, which would certainly have happened.

L. PAPIRIUS MUGILANUS.

L. SEMPRONIUS ATRATINUS.

Nothing considerable passed during their Consulship.

M. GEGANIUS MACERINUS II.

T. QUINTIUS CAPITOLINUS IV.

A. R. 312.
Ant. C.
440.

Under these Consuls a new office was instituted, which afterwards became very considerable.

As the spirit of conquest was the prevailing character of the Roman People, King Servius, to have an assured resource both of men and revenues, had ordained, that a muster of all the Roman citizens should be made every fifth year, with an exact estimate of every individual's estate. By this muster and valuation, the Prince, or magistrate, knew almost instantaneously what number of inhabitants capable of bearing arms Rome had, and the amount of their contribution.

Dionys.
l. 11.
p. 737.
Liv. l. 4.
c. 3.

The Consuls of the preceding years having been continually employed either in war against the neighbouring people, or in opposing the enterprizes of the Tribunes, this account of persons and estates had been omitted. As this custom had been interrupted for seventeen years, from the Consulship of L. Cornelius and Q. Fabius, only such as had before been mustered were known, and they were the only persons that served in the armies, whilst many of
free

free condition (*libertini*) who had not been registered, changed their abode according to their fancy, and lived in a state of independance.

A. R. 312.
Ant. C.
440.

To obviate this inconvenience for the future, it was judged proper to discharge the Consuls of that care, which obliged them to descend to a detail ill-suited to the Consular dignity. The institution of a new magistracy for discharging this function, of small consideration till then, was conceived necessary. As contemptible as it appeared, the Senate did not refuse to accept it, whether they were well satisfied to increase the number of Patrician officers, or foresaw that this would acquire great extent, and become very important. The Tribunes, on their side, considering this charge as more necessary than honourable, conceived no thoughts of contesting it with the Senate, nor of demanding, that the Plebeians should be admitted into it, in order to avoid appearing to oppose the Patricians improperly in every thing, even to the most minute. Papirius and Sempronius were the two first persons elected into this office. Those magistrates were called Censors, because they presided at the Census, the muster of the People, and the valuation of their fortunes.

Here ends what has come down to us of the history of Dionysius Halicarnassensis. We cannot regret too much the books that are wanting, which continued the Roman affairs down to the beginning of the first Punic war.

What the Senate had foreseen in respect to the Censorship, actually came to pass in process of time. † This office, so small in its beginning, became one of the most considerable in the state. The curule chair, purple robe, and almost all the splendor of the Consulship, excepting Lictors, were the least advan-

† Hic annus censuræ initium fuit, rei à parva origine ortæ; quæ deinde tanto incremento aucta est, ut morum disciplinæque Romanæ penes eam regimen, Senatus equitumque centuriæ, decoris decorisque discrimen sub ditione ejus magistratus, publicorum privatorumque locorum, vectigalia populi Romani, sub nutu atque arbitrio essent. Liv. l. 4. c. 8.

A. R. 312.
Ant. C.
440.

tages of the Censorship. The muster of the citizens, which was at first its sole employment, was soon followed by more honourable and important functions. The support of manners and discipline was confided to them, and in consequence the right of punishing the Senators, Knights, and common citizens, by a shameful degradation. They were charged with all that related to the maintenance and repairs of the public buildings sacred and profane, the highways, aqueducts, and other things of the like nature. And lastly, they had the administration of the revenues of the Commonwealth. They granted the leases to the farmers of the taxes, called Publicans, and adjudged all disputes that arose upon that head. As all the functions of the Censorship are part of the Roman history, and they will often be mentioned, I thought it necessary to give the reader some idea of them in this place.

Summary description of the functions of the Censorship.

Val. Max.
1. 3. c. 4.

The Census, or muster of the People, and valuation of their estates, which terminated with a ceremony called Lustrum, for reasons which shall be related in their place, was the principal function of the Censors. The Census had been established by Servius Tullius the sixth King of Rome. That Prince took the Census four times during his reign: but nothing is known of any of them besides the first. Tarquin the Proud, the enemy of all good, and of Servius's memory, neglected this useful institution. After the expulsion of the Kings, the Consuls were charged with this care, till the establishment of Censors. There had been ten Census, or Lustra, before the first taken by the Censors, which was the eleventh. I shall give an abridged table of them in this place, which will shew the condition and forces of the Roman People to the time of which we are now speaking,

Lustra

| <i>Lustra.</i> | <i>Number of the citizens.</i> | <i>Years of Rome.</i> | <i>A. R. 312. Ant. C. 440.</i> |
|------------------------------------|------------------------------------|---------------------------|--|
| Ist Lustrum by Servius Tullius. | 80000 or 84970 | | Liv. l. 44. Dionys. l. 5. p. 225. Dionys. l. 5. p. 293. Id. p. 338. |
| IIId Lustrum. | | | Id. l. 6. |
| IIIId Lustrum. | | | P. 416. |
| IVth Lustrum. | | | Id. l. 9. |
| Vth Lustrum. | 130000 | 246 | P. 594. |
| VIth Lustrum. | 150000 | 256 | Liv. l. 3. |
| VIIth Lustrum. | 110000 | 261 | C. 3. |
| VIIIth Lustrum. | 103000 | 280 | Liv. l. 3. |
| IXth Lustrum. | 134214 | 289 | C. 24. |
| Xth Lustrum. | 132049 | 295 | Dionys. l. 11. |
| XIth Lustrum. | | 312 | P. 737. |

We have related the first institution of the Censors. Liv. l. 6.
Those magistrates, as we have said before, were chosen c. 8.
out of the Patricians, and the most illustrious of that
Order: For they did not obtain the Censorship till
after they had been Consuls. They retained the sole
possession of that office, till the 416th year of Rome,
when the Dictator Publilius Philo passed a law by
which it was ordained that one of the two Censors
should be elected out of the People. And in the
year of Rome 621, they were both chosen out of the
Plebeians. From thenceforth, they were nominated
indifferently out of both Orders. Epitome
59.

The duration of this office, at its first institution,
was five years, at the end of which the Census was
taken. Before ten years were elapsed, the Dictator
Mamercus Æmilius reduced it to eighteen months. A. R. 321.
Liv. l. 4.
Thus, regularly, Rome was without Censors three c. 24.
years and an half: for the Lustrum was not perform-
ed till the end of the fifth year. But this order was
often interrupted, either by wars abroad, or domestic
divisions and other particular reasons. Sometimes
five years expired without any Censors being created.
On other occasions Censors were created more than
once during the space of a Lustrum, if those who had
been

A. R. 312. been first chosen had not been able to complete the
Ant. C. Censur.

440.
Liv. l. 5. Rome was superstitious to excess. As the city had
C. 31. & been taken by the Gauls in the year that M. Corne-
l. 9. c. 34. lius had been substituted in the room of one of the
Censors who had died in that office, it was ordained
that in the like case no successor should be appointed
in the room of one defunct, and that his colleague
should divest himself of his charge.

Dionys.
l. 4. p. 221. The Census was taken in the (1) Forum. All the
citizens capable of bearing arms, that is to say, of
seventeen years of age and upwards, caused their
names, ages, incomes, places of abode, with the names
and ages of their fathers and mothers, wives, children,
freedmen, and slaves, to be inserted in the public re-
gisters. They took an oath not to depart from truth
in declaring their fortunes; and nobody was ever known
to have perjured himself on this occasion. Heavy
penalties were laid upon such as omitted to register
themselves, as confiscation of their estates, and loss of
liberty; which was long practised in the Common-
wealth. Those who were absent gave in their names
and estates by proxy.

The Censors had power to fix the value of the
estates of individuals, and in consequence to impose
a greater or less tax upon them, because it was by the
estimates taken by the Censors that the payment of
taxes was regulated.

In the early times every one registered himself in
his Class and Century: and afterwards in his Tribe,
when the thirty-five Tribes were formed.

When Rome had extended her conquests, and
founded many colonies, or given the freedom of the
city to many of her neighbours, the functions of the
Censors had more extent. Officers, who were also call-
ed Censors in those colonies, and municipal cities, gave

(1) It was taken anciently in the Forum; but afterwards in the
Villa Publica, the house for the reception and entertainment of am-
bassadors in the Campus Martius.

the Censors of Rome an account of the condition of those cities, of the number of their inhabitants, and of their riches; and their reports were registered in the books of the Censors.

A. R. 312.
Ant. C.
440.

At Rome the Census began by the Senators and Patricians, went on to the Knights, and concluded with the People.

One of the two Censors, to whom that function fell by lot, prepared the list of the Senators, and read it publicly with a loud voice. It was a great honour to be named the first, and to be placed at the head of all the rest: the person distinguished in this manner was called *Princeps Senatûs*, Principal Senator. He presided in the assemblies of the Senate. This dignity was not for life, and probably was conferred every new Censorship. It might either be continued, or granted at different times. Scipio Africanus the elder was nominated Prince of the Senate three times, and the Great Pontiff M. Æmilius Lepidus six. It was the usual custom to nominate the senior Censor living Prince of the Senate. The Censor P. Sempromius Tuditanus was the first that changed this custom, in nominating Q. Fabius Maximus, notwithstanding his colleague's opposition, who was for conferring that honour upon T. Manlius Torquatus, because he had been Censor before Fabius. And the laudable custom afterwards took place, of having more regard to merit, than seniority, in this choice.

Liv. 1. 27.
C. 11.
A. R. 543.
Ant. C.
209.

The Censor, after having declared the Prince of the Senate in this manner, named the rest of the Senators in their order.

They then proceeded to the Muster of the Knights, of whom the first-named was called *Princeps Equitum*: but that distinction was little regarded. All the Knights passed in review before the Censors, leading their horses by the bridle, and dressed in the robe called *Trabea*.

And lastly, the names of the People were called over, each in his Class, or Tribe.

A. R. 312.
Ant. C.
440.

It was in this ceremony that the Censors publicly inflicted punishments upon such of the citizens as had given any considerable cause of complaint in respect to their manners and conduct.

As to the Senators, it sufficed to omit their names in reading over the List: from whenceforth they were deemed fallen from the dignity of Senator.

The Knights were punished by having the horse, with which they were supplied by the public, and which was the mark of the Equestrian dignity, and the ring, that afterwards became so, taken from them.

The Plebeians were removed from a more honourable Tribe into another less considerable, as either from one of the Rustic Tribes into another of the same kind, but inferior; or into one of the four Tribes of the city which were in great contempt: and this is what was called *Tribu moveri*. This was the first and most gentle degree of punishment. The second was to be deprived of the right of suffrage: *in Cæritum tabulas referri*. The inhabitants of Cære, for having given refuge to the Priests and sacred things, when the Gauls were upon the point of entering Rome, had been rewarded with the freedom of the city, but without the privilege of voting. By this second degree of punishment, the Roman citizens were reduced to the condition of the Cærites. The third and last deprived them, not only of the right of suffrage, but of carrying arms and serving in the field, and left them no mark of a citizen, except the necessity of paying their share of the taxes: which was called *ærarium fieri*.

Strab. l. 5.
p. 220.
Aul. Gell.
l. 16. c. 13.

The Senators and Knights were sometimes condemned to suffer these three kinds of punishment.

As prejudice might take place in the Censors judgments, the * Laws had wisely provided different remedies against the abuse of an excessive authority, the unjust rigours of which sometimes required to be

* Censorii styli mucronem multis remediis majores nostri retulerunt.
Cic. pro Cluent. n. 123.

checked. The degraded citizens might be reinstated by his colleague, or the succeeding Censors, either by justifying themselves before the Senate or People.

A. R. 312.
Ant. C.
440.

History supplies us with a multitude of these kinds of punishments legally inflicted, of which I shall repeat some of the most remarkable in this place.

The Censors Scipio Nasica & M. Popilius, in reviewing the Knights, perceived an horse poor and in a bad condition, whose master was fat, and of a surprisingly florid complexion. "How comes it to pass," said they to him, that there is so great a difference between you and your horse?" "It is, replied the Knight, because I take care of me, and my servant of my horse." The answer was thought too bold, and was really so. His negligence, joined with his want of respect, was punished by an entire degradation, which left him no other right of a citizen, but that of paying taxes; *in ærarios relatus est*.

Aul. Gell.
l. 4. c. 20.

Cato, furnished the Censor from his severity in the exercise of that office, expelled L. Quintius Flaminius from the Senate, for having caused a criminal to be executed at an entertainment whilst Consul, to give a courtesan the inhuman pleasure of seeing a man die. According to Livy, the fact was far more horrid.

Cic. de
Senect.
n. 42.
Liv. l. 39.
c. 42, 43.

In the Censorship, of which we have spoke above, wherein Fabius was nominated Prince of the Senate, the names of eight Senators were omitted, of which number was L. Cæcilius Metellus, who had proposed the infamous and criminal advice of abandoning Italy after the unfortunate battle of Cannæ.

Ib. l. 27.
c. 11.

The Censor Fabricius Luscinus left Cornelius Rufinus, who had been twice Consul and once Dictator, out of the list of the Senators, for having ten pounds of silver plate; persuaded, that such an example might be fatal to the State, by introducing luxury into it. * Happy age, said Cato of Utica, in which a little silver plate was considered as a dangerous luxury, that merited the correction of the Censor!

Val. Max.
l. 2. c. 9.

* Laudabat Cato seculum illud in quo censorium crimen erat paucæ argenti lamellæ. SENECA. de vit. beat. c. 21.

A. R. 312.
Ant. C.
440.

Other Censors excluded Duronius from the Senate, because, whilst he was Tribune of the People, he had opposed a law that prescribed very narrow limits to the expences of the table. The Historian, to shew all the injustice and unworthiness of the Tribune's conduct, † makes him mount the Tribunal for harangues, and puts this discourse into his mouth. "Romans, a curb is given to your desires, an insupportable yoke is imposed upon you. There is a law proposed, for obliging you to live with frugality. But the Gods forbid that we should submit to it. I therefore prohibit an ordinance, that favours of the rust and grossness of antient times. For what signifies liberty, if we are not permitted to ruin ourselves by luxury if we think fit?" Such discourse would appear ridiculous and senseless: is the reality less so? Yet they must think in this manner who authorize luxury.

This necessity of appearing at certain times before the tribunal of the Censors, to give an account of their conduct, imposed universally on all the citizens, and from which neither birth, services rendered the state, nor the most important offices previously exercised, as those of Consul and Dictator, exempted any one, must have been a powerful check upon licentiousness and disorder. So salutary a dread was the support of the Laws, the tie of concord, and in a manner the guardian of decency, modesty, justice, and integrity of manners in general.

There are, says a modern author *, bad examples, which are more pernicious even than crimes, and more States have been ruined by corrupting their manners, than violating their laws. At Rome, whatever might

† Quam impudenter Duronius Rostra conscendit, illa dicturus! Fræni sunt injecti, Quirites, nullo modo perpetiendi: alligati & constructi estis amaro vinculo servitutis. Lex enim lata est, quæ vos esse frugi jubet. Abrogamus igitur istud horridæ vetustatis rubigine oblitum imperium. Etenim quid opus libertate, si volentibus luxu perire non licet? VAL. MAX. l. 2. c. 9.

* The author of Considerations upon the causes of the greatness and declension of the Romans.

introduce dangerous innovations, change the sentiments or inclinations of the good citizen, and prevent, if I may use the expression, their perpetuity; in a word, all disorders of a public or private nature, were reformed by the Censors. This reflection seemed very solid to me.

A. R. 312.
Ant. C.
440.

If luxury and avarice, the usual causes of the ruin of States, were introduced so late at Rome; if poverty, frugality, simplicity, and moderation in the table, buildings, furniture and equipage, were so long in honour there, I doubt not but so extraordinary a felicity ought principally to be ascribed to the inexorable severity of certain Censors, rigidly attached to the ancient manners of their country, from which they well knew how important it was not to depart. When we see a Roman, who has passed through all the great offices of the State, degraded from his dignity of Senator for having a little more silver plate than others, we are naturally inclined to tax such a sentence with excessive and extravagant rigour. But we should remember that the Censor, who passed this sentence, was the celebrated Fabricius. Those great men, who were totally devoted to the good of the public, and by a wise foresight extended their views to remote ages, believed it their duty by exemplary punishments to put a stop to the abuses which they saw rise up in their own times, and of which they foresaw all the pernicious and fatal effects. They knew, that these abuses, which it is easy to reform in their birth, but which, by the negligence of magistrates and long impunity, soon become too strong for all laws, draw in and infect a whole nation with incredible rapidity. Now when things are gone so far, and * what were before vices and disorders, are become the manners of a state, it is in vain to hope for remedies; for none there are.

* *Definit esse remedio locus, ubi, quæ fuerant vitia, mores sunt.*
SENEC. Epist. 39.

A. R. 312.
Ant. C.
440.

When † Cicero accused Verres, the Judges were so universally infamous at Rome for their avarice and other vices, that the People themselves, whatsoever aversion they had always expressed for the Censorship, ardently desired that office, which had been laid aside for some time, might be re-established, believing it the only remedy that could be found for the disorders which prevailed in the administration of justice. And it was actually re-instated the same year by the Consuls Pompey and Crassus.

The austerity of the Censorship produced at Rome the same effect in respect to manners, as the severity of the military discipline did in the armies in respect to supporting subordination and obedience. And these were the two principal causes of the Roman greatness and power. * And indeed, of what use is courage abroad, if depravity and corruption reign at home? Whatever victories are gained, whatever provinces are subjected, if purity of manners do not prevail in the different orders of a state, if the administration of justice, and the power of the government, be not founded upon invariable equity and a sincere love of the public good, however powerful an empire may be, it cannot subsist long. It is a Pagan that talks thus upon occasion of the great advantages consequential of the Censorship at Rome. We have often ‡ observed, that the sanctity of oaths was no where so much respected as at Rome. This was, as Cicero remarks, because no crimes were so severely punished by the Censors, as breach of faith and contempt of oaths.

† Judicum culpa atque dedecore, etiam Censorium nomen, quod asperius antea populo videri solebat, id nunc poscitur; jam populare atque plausibile factum est. Cic. in Verr. n. 8.

* Quid enim prodest foris esse strenuum, si domo male vivitur? Expugnentur urbes, corripiantur gentes, regnis injiciantur manus, nisi foro & curiæ officium ac verecundia sua constiterit, partarum rerum æquatus cælo cumulus sedem stabilem non habebit. VAL. MAX. l. 2. c. 9.

‡ Nullum vinculum ad astringendam fidem jurejurando arctius majores esse voluerunt.—Id indicant notationes animadversionesque Censorum, qui nulla de re diligentius, quam de jurejurando, judicabant. Offic. l. 3. c. III.

The Census concluded with a religious ceremony in the field of Mars. The whole People were present at it. A sow, a sheep, or ram, and a bull, were offered as a sacrifice, which from thence was called *Suo-vetaurilia*, and according to others, *Solitaurilia*. This closing of the Census was called *Lustrum*, and the expression *Lustrum condere* occurs frequently in authors. Varro derives this word from *luo*, which signifies to pay; because the tax which had been imposed by the Censors, whose office continued five years at their first institution, was paid at the beginning of every fifth year. From whence the word *lustrum* in Latin signifies the space of five years.

A. R. 312.
Ant. C.
440.

I have dwelt a little on what relates to the Census, because it will be often mentioned in our history, and was the principal function of the Censors, and shall touch slightly upon the rest.

They had the care of causing the temples, highways, bridges, aqueducts, and all public buildings, to be erected and kept in good condition; and to see that necessary and timely repairs were made, which was called, *Sarta tellæ exigere, sarta tellæ tueri*. We find that in the 583^d year of Rome, the Senate made the Quæstors pay half the taxes of the year into the hands of the Censors, to be employed in different public buildings. The Basilica, which Sempronius caused to be erected at that time, was called Semproniana from his name, as that of Cato was before, Porcia. The public buildings, and great halls with porticos, where the Senate assembled, justice was administered, the Civilians answered consultations, and the merchants and bankers transacted their affairs, were called Basilicæ.

Liv. l. 44.
c. 16.

Id. l. 39.
c. 44

One important function also of the Censors was to consign the public revenues to tax-farmers, called for that reason Publicani. These * farms could not be consigned, but in the presence of the Roman People.

* *Censoribus vectigalia locare nisi in conspectu populi Romani non licet.* 1 in RULL. l. 7.

A. R. 312.
Ant. C.
440.

It appears that when the leases were let by them at too high a rate, the farmers had recourse to the Senate, who sometimes ordered them to be put up again; which happened in Cato's Censorship, when the farms were let at a rate something lower.

In Livy we find, that the keeping of the public records was confided to them, and that they presided over the Registers, and examined, whether they discharged their duty with exactness and fidelity.

They had also a peculiar attention and jurisdiction over marriages. Certain Censors laid a considerable fine upon a citizen, who had continued unmarried to old-age: and others expelled a Senator for having repudiated his wife without consulting his friends.

Val. Max.
l. 11. c. 9.

What I have hitherto related concerning the Censorship, shews of what importance that office was, upon which depended the good order, regulation, discipline, conservation of the manners, and administration of the revenues of the Commonwealth. It is time to resume the thread of our history. We digressed at the Consulship of Geganius Macerinus and T. Quintius Capitolinus.

Liv. l. 4.
c. 9, 10.

M. GEGANIUS MACERINUS II.

T. QUINTIUS CAPITOLINUS V.

Under these Consuls, the Ardeates, who had made their peace the year before with the Roman people, came to implore their aid in a very pressing emergency. A violent sedition had rose up in their city between the Nobility and People. Things had been carried to the last extremities. The populace, who did not resemble those of Rome, having seized an eminence, ravaged the lands of the nobility from thence with fire and sword, and afterwards returned to Ardea, which they treated like an enemy's city. The two parties, who were too weak of themselves, had each recourse to strangers. The people applied to the Volsci, who came to their aid without loss of time. It was at this conjuncture, that the deputies from the Nobility arrived at Rome. The Consul Geganius was ordered

dered to set out immediately, and soon advanced with his army near the enemy, who besieged the city. The next day the Consul, having divided the work very early in the morning amongst his troops, surrounded the whole camp of the Volsci with a good intrenchment, who seeing themselves besieged, and shut up so close, in some days, for want of every thing, demanded to capitulate. The Consul gave them to understand, that they must expect no quarter, except they delivered up their general, and surrendered at discretion. In their despair they attempted a sally, which cost them dear, abundance of them perishing in it. They found it their necessity to surrender. After they had delivered up their general, and laid down their arms, they were all obliged to pass under the yoke, and dismissed each only with one habit, and covered with shame and ignominy. In passing near Tusculum, the inhabitants of that city, who had long been their declared enemies, put them all to the sword, so that scarce any were left to carry home the sad news of their defeat. The Consul afterwards entered Ardea, which received him as its deliverer and father. He caused the heads of the principal authors of the sedition to be cut off, confiscated their estates for the benefit of the public treasury, and in that manner re-established peace and tranquillity between the citizens. Ardea, by so important a service, thought an ample amends made it for the sentence which had been passed against it. But the Senate believed there still remained something to do, in order to abolish the remembrance of the shameful avidity which had so much dishonoured the Roman People. We shall soon see in what manner they acted. The Consul entered Rome in triumph. Cluilius, the general of the Volsci, was led in chains before his chariot, with the rich spoils which he had taken from the enemy.

Quintius, the other Consul, equalled by the virtues of peace the glory his colleague had acquired by his military exploits. He applied himself in such a manner to preserve the peace and union of the city, and acted

A. R. 312.
Ant. C.
440.

A. R. 312.
Ant. C.
440.

acted with such perfect impartiality between great and small, that by a wise mixture of steadiness and lenity, his administration was equally grateful to the Senate and People. He kept the Tribunes effectually within bounds, not by fierce and violent disputes, or an air of haughtiness and authority, but by I know not what kind of ascendant, that his universally known merit gave him. For five * Consulships, through which he had passed with the same undeviating probity and wisdom, or, to speak more properly, the truly Consular dignity of his whole life, rendered his person almost more awful and venerable than his office. In consequence, the Tribunes did not presume to speak of electing Military Tribunes, and Consuls were created again.

A. R. 313.
Ant. C.
439.

M. FABIVS VIBULANVS.

POSTVMS ÆBVTIVS CORNICEN.

In this Consulship, the Senate made the Ardeates entire amends for the injustice done them. Under pretext that their city was reduced to a small number of inhabitants, they decreed that a colony should be sent thither to serve as a garrison against the Volsci. The decree was conceived in those terms, in order that the Tribunes and the People might not perceive that the design of it was to cancel their judgment. But the Senators had agreed, that the colony should consist of a much greater number of the † Rutuli than of the Romans: that no other lands should be assigned it, but those of which the infamous judgment had deprived the Ardeates: and that none of the Romans should have the least part of those lands, till all the Rutuli had their proportion of them. In this manner that territory devolved again to the Ardeates. The Triumviri appointed for settling this colony had no other means to avoid the unjust vengeance of the

* Quinque Consulatus eodem tenore gesti, vitæque omnis consulariter acta, verendum penè ipsum magis quam honorem, faciebant.
Liv.

† The Rutuli inhabited the city of Ardea,

People, whose Tribunes had already assigned them a day for appearing at their tribunal, but in causing themselves to be enrolled in this colony, and residing with it.

C. FURIUS PACILUS.

A. R. 314.
Ant. C.
438.

M. PAPIRIUS CRASSUS.

This year passed in tranquillity. The games which the Senate had vowed during the Secession of the People were now celebrated.

P. GEGANIUS MACERINUS.

A. R. 315.
Ant. C.
437.

L. MENENIUS LANATUS.

Rome, under these Consuls, had various evils and dangers to experience. Fortunately for her no war abroad happened, or she would have found it exceedingly difficult to support herself.

The first of these calamities was a famine; whether in effect of a bad harvest, or that the inhabitants of the country had neglected the cultivation of the lands through their fondness for the assemblies, and the pleasures of the city; for both these reasons are given. The dearth was excessive. To remedy that evil, by the consent of the Senate, the People chose L. Minucius Prefect, or superintendant of provisions. He found himself extremely embarrassed in the exercise of this new Office, or rather Commission. The neighbouring states and cities, to whom he had sent persons to purchase corn, were of no service to him; except only Etruria, from whence he got some, but very little. This reduced him to dispense, according to the different necessities of the People, the little corn that was left in the city, by obliging particulars to declare exactly what quantity they had, and to sell what was more than necessary to themselves for one month. Part of what was allowed slaves daily, was retrenched. The venders of corn were suspected of concealing it, and in consequence exposed to the hatred and anger of the People. However, all enquiries served rather to evidence than lessen the scarcity. Many of the populace,

A. R. 315. pulace, finding themselves without hope or resource,
Ant. C. to avoid suffering any longer the miseries of so cruel a
437. famine, drowned themselves in the Tiber.

This first calamity gave birth to a second danger of a different kind that threatened the public liberty.

Sp. Mælius, of the Equestrian order, who was very rich for those times, and still more ambitious, conceived thoughts of taking advantage of the present misfortune, and flattered himself that the People, in so general a calamity, would sell their liberty cheap. Having bought up a great quantity of corn at his own expence in Etruria, by the assistance of his friends there and his clients, (which probably prevented Minucius from getting much in that province) he distributed it amongst the People. By this liberality he became the darling of the populace, who attended him every where in the city, made him a train much above the condition of a private person, and promised him beforehand the Consulship. But as ambition is insatiable, and cannot be contented with what it seems assured of possessing, he carried his views farther, without examining whether they were just or no. He rightly perceived, that he should necessarily experience a rough conflict with the Senators to carry the Consulship against their consent, and that it could only be effected sword in hand. He conceived in consequence, that to attain the sovereignty would not cost him more trouble, and from that moment levelled all his endeavours that way; considering the throne as the only reward, that merited the pains and dangers he had to undergo.

The day of the assembly for the election of Consuls approaching, as he had not sufficient time for concerting all his measures, his design was not ripe for execution. The election was made with tranquillity, and according to the views of the Senate,

A. R. 316.
Ant. C.
436.

T. QUINTIUS CAPITOLINUS, VI.

AGRIPPA MENENIUS LANATUS.

Quintius was a very improper Consul for any person that conceived designs of innovating in the state.

L. Mi-

L. Minucius was continued in the office of Præfec-
 tus Annonæ, or superintendant of provisions. By the
 duty of his office he did the same in public, that
 Mælius took upon himself to do in private; which
 occasioned the same kind of people to frequent the
 houses of both. By their means he knew what passed
 at Mælius's, and immediately informed the Senate of
 it. He told them, " he had discovered that arms
 were carried into his house; that he held assemblies
 and made harangues there; and that he was most cer-
 tainly taking measures to make himself King. That
 the time for the execution of his design was not yet
 fixed, but that every thing previous to it was con-
 cluded. That the Tribunes, corrupted by money,
 had divided amongst them the different measures ne-
 cessary to be taken for its success. That he gave this
 information almost later than the safety of the public
 required; but that he was willing to be assured of the
 fact by certain proofs, and not to rely upon loose and
 doubtful reports."

A.R. 316.
 Ant. C.
 436.

Upon this advice the principal Senators reproached
 the Consuls, both of the preceding and present years,
 extremely, for having had so little vigilance, as not
 to have discovered a conspiracy of that importance,
 which had already been carried on for a considerable
 length of time. Quintius, after having made an apo-
 logy for the Consuls, and represented, that instead of
 losing time in useless and perhaps unjust complaints,
 it was necessary to apply immediately to the remedy,
 added, that it was his advice, that a Dictator should
 be immediately appointed, whose supreme authority
 might stifle the evil in its birth, and even before it
 had time to break out. His opinion was generally
 approved. Every body cast their eyes upon L. quin-
 tius Cincinnatus, who long refused to accept an office,
 of which he believed his great age made him incapable.
 But he was at length obliged to comply with the warm
 remonstrances and earnest entreaties of the whole Se-
 nate. After having implored the Gods not to suffer
 his

A. R. 316. his age to be of prejudice to the Commonwealth in so
 Ant. C. 436. eminent a danger, he consented to be nominated Dictator, and immediately appointed C. Servilius Ahala master of the horse.

The next day Cincinnatus, who well perceived that the only means for crushing so dangerous a conspiracy, was to exert his authority, appeared on a sudden in the Forum, and ascended the Tribunal with his Lic-tors before him carrying the rods and axes, and with all the ensigns of the sovereign authority. The People, surprized and terrified at so sudden an appearance, could not comprehend the cause of it: but Mælius, and his accomplices, soon judged that themselves were aimed at. Such as were ignorant of his designs, asked each other, what eminent danger had made it necessary to nominate a Dictator in time of peace, and to put Quintius at upwards of fourscore into that office. The Dictator presently sent Servilius, his master of the horse, to order Mælius to appear before him. Mælius surprized, and uncertain how to act, deferred obeying, and endeavoured to escape. Servilius ordered a Lic-tor to seize him; and upon that officer's executing the master of the horse's orders, Mælius implored the aid of the Roman People, complaining that he was to be sacrificed by the intrigues of the Senate for the good he had done the People. He conjured his fellow-citizens to assist him in his present extreme danger, and not to suffer him to be butchered before their eyes, and in their presence. The people grew tumultuous: his partisans encouraged each other, and took him by force from the Lic-tor. Mælius threw himself into the crowd to avoid the pursuit of Servilius: but the latter followed him close, overtook him, ran his sword through his body, and covered with his blood, returned to give the Dictator an account of what he had done. "You have done well, Servilius," said the Dictator: "continue to defend your country with the same courage as you have now delivered it."

Q. CAPITOL. A. M. LANAT. Consuls.

The populace not knowing how to think of what they saw, and being in a great commotion, the Dictator called an assembly, and began by declaring, " That Mælius had been killed justly, and as he deserved, even though he were not guilty of the crime laid to his charge, for having disobeyed the Dictator's summons signified to him by the master of the horse. That he had taken his place on the tribunal, in order to enquire into the affair : after which he should have done Mælius the justice he deserved. That as he had recourse to violence, to avoid appearing to take his trial, violence had been used to correct his rebellion. That it was highly wrong to consider a man as a citizen, who had conceived the impious design of making himself King ; who had been born amongst a free people, in the midst of their sacred laws and ordinances, and in a city from whence Kings had been expelled : a man, who knew that in the very year of their expulsion, the King's nephews, and the sons of the Consul who had delivered his country, had been put to death, the latter by the hands, or at least by the orders, of their own father, for having conspired to receive the Kings into Rome ; that in the same city the Consul Collatinus Tarquinius, in hatred only of his name, had been obliged to abdicate the Consulship, and banish himself from his country ; that some years after, Sp. Cassius had been put to death, for intending to make himself King ; and that, very recently, the tyrannical haughtiness, with which the Decemvirs exercised their power, had been punished with confiscation of their estates, banishment, and even death : that, notwithstanding such examples, Mælius had undertaken to make himself King, and to ascend the throne. And what man was Mælius, to conceive such hopes ? Neither his nobility, dignities, nor services could open him a way to the tyranny : whereas Claudius, Cassius, and the rest, had aspired at so criminal an elevation, sustained by their Consulships, Decemvirates, the honours of their ancestors, and the splendor of their families. But as to Mælius, who might

A. R. 316.
Ant. C.
436.

A. R. 316.
Ant. C.
436.

might rather * have desired than expected to obtain the Tribuneship of the People, and whose whole merit was the possession of a great quantity of corn; who could imagine, that such an one could flatter himself with having purchased the liberty of his country for a few pounds of grain; and with having made a people, victorious over all their neighbours, accept of slavery for a morsel of bread: that Rome, which could scarce have suffered him in the rank of a Senator, would accept him for her King, and calmly see him invested with all the marks of honour and authority of Romulus her founder, descended from, and admitted into the number of, the Gods? That such a design ought not to be considered more as a crime, than as a prodigy. That it did not suffice to have expiated it by the blood of the criminal, if the house, where so frantic and so vile an enterprize had been formed, was not levelled to the ground, and the possessions, polluted by the iniquitous use he intended to make of them for purchasing the tyranny, confiscated. That therefore he decreed, that those possessions should be sold by the Quæstors, and the money brought into the public treasury."

That wise magistrate seeing, as the leader of the conspiracy was dead, that there was nothing farther to fear, did not judge it proper to enquire into his adherents, lest the number of the criminals should be too great, and his too severe endeavours to punish all the conspirators should make the conspiracy break out.

The house of Mælius was demolished immediately. The place where it stood was called *Æquimelium*, that is to say, "Demolished house of Mælius," in order that the name might subsist as a monument both

* *Sp. Mælium, cui Tribunatus plebis magis optandus quam sperandus fuerat, frumentarium divitem, bilibris farris sperasse libertatem se civium suorum emisit, ciboque objiciendo ratum victorem finitimorum omnium populum in servitutem perlici posse: ut, quem senatorem concoquere civitas vix posset, regem ferret, Romuli conditoris, ab diis-orti, recepti ad deos, insignia atque imperium habentem. Non pro scelere id magis quam pro monstro habendum. Liv.*

of the crime and its punishment. An ox with gilt horns was given, and a statue erected, to Minucius; which the People did not oppose, because, to give them no room to regret Mælius, he directed all the corn found in his house to be distributed amongst them at a very low rate.

Besides Mælius's having rendered himself guilty and worthy of death by refusing to obey the Dictator, he * Laws themselves, from the time he had conceived the criminal design of usurping tyrannical power, armed the hands of all the citizens against him. A Tyrant was considered at Rome as a monster, that cannot be lopped off too soon from the body of human society, in the same manner as people hasten to cut off without mercy a rotten member, capable of destroying all the rest. The Romans never forgot the oath taken in the name of the whole People after the expulsion of the Tarquins, to exterminate whomsoever should form the design of making himself King.

Three of the Tribunes of the People, highly discontented with what had lately passed, exclaimed violently against Minucius, and especially against Servilius the Master of the horse, who, without any form of justice, and even without his Superior's order, had killed a citizen in the bosom of his country. They loudly threatened to bring him to a trial, as soon as the Dictator quitted his office, and excited a great tumult amongst the populace. All that they could obtain was, that Military Tribunes should be chosen instead of Consuls, in hopes that of six places, for so many Military Tribunes might be created, some might fall to their share. The People elected only three, all Patricians, of which number was L. Quintius, the son of Cincinnatus, whose Dictatorship the Tribunes endeavoured to render odious to them.

* Nulla nobis societas cum tyrannis, sed potius summa distractio — Hoc omne genus pestiferum atque impium ex hominum communitate exterminandum est. Etenim, ut membra quædam amputantur, si & ipsa sanguine & tanquam spiritu carere cœperunt; sic ista in figura hominis feritas & immanitas belluæ à communi tanquam humanitate corporis segreganda est. Offic. l. 3. n. 32.

S E C T. III.

Roman ambassadors killed by the order of Tolumnius King of the Veientes. That King is killed in battle by Cossus, who takes the second Royal Spoils, called Spolia opima. The duration of the Censorship is reduced to eighteen months. Singular Law in respect to Candidates. The Consuls are obliged to nominate a Dictator. They choose Postumius Tubertus, who gains a great victory over the Æqui and Volsci. Mamercus Æmilius is nominated Dictator. He also gains a great victory over the Veientes and Fidenates. The Tribunes of the People complain because the Plebeians are excluded offices. Sempronius's unfortunate campaign against the Volsci. Great action of Tempanius, which saves the army. Tempanius's wife answer to the Tribunes of the People. He is made Tribune of the People.

MAMERCUS ÆMILIUS.

L. QUINTIUS.

L. JULIUS.

A. R. 317.
Ant. C.
435.
Liv. l. 4.
C. 17—20.

THE city of Fidenæ, which was a Roman colony, went over this year to the Veientes, of whom Lars Tolumnius was then King. To the crime of revolt they added one of a much blacker dye, in killing by order of Tolumnius the Roman ambassadors, sent to complain of their new conduct, and to demand reasons for it. Some writers, to cover the King's fault, say, that an expression which he dropped at dice was taken by the Fidenates, who came to consult him upon the treatment they should give the Roman ambassadors, as an order to kill them. But Livy is far from admitting this manner of relating the fact, and shews it is entirely improbable, that a Prince, when consulted by new allies upon so serious an affair as that in question, should continue unconcerned at play; and that it is infinitely more natural to believe the King gave them that advice, to attach them the more firmly

to

G. MACER. S. FIDENAS, Consuls.

51

to his party by a rupture of such a kind, as left them no hopes of reconciliation with the Romans.

A. R. 317.
Ant. C.

435.

However that were, the latter began by erecting three statues near the Tribunal for harangues, to the ambassadors who had been killed; and afterwards applied themselves seriously to avenge so horrid a violation of the Law of nations. The importance of the affair prevented the Tribunes from exciting troubles; and Consuls were elected.

M. GEGANIUS MACERINUS, III.

A. R. 318.

L. SERGIUS FIDENAS.

Ant. C.

434.

Sergius marched against the King of the Veientes, and gained a considerable victory over him, but which cost him dear. The loss in consequence of a great number of citizens who fell in it, afflicted Rome more than the defeat of the enemy gave them joy. The Consul seems to have had the surname Fidenas given him from this victory.

To terminate this war successfully, the Senate thought it necessary to nominate a Dictator. Mamercus Æmilius was elected. He chose L. Quintius Cincinnatus master of the horse, whose merit, young as he was, answered his father's reputation; and who the year before had been one of Æmilius's colleagues in the office of Military Tribune. At the levy made by the Consuls, many old centurions of great valour and experience in war entered themselves for the service. The number of the soldiers killed in the last battle were filled up. Quintius Capitolinus and M. Fabius Vibulanus followed the Dictator as Lieutenants.

The two armies came to blows near Fidenæ. That of the enemy was the most numerous. The Veientes were posted on the right wing, the Falisci, who came to their aid, on the left, and the Fidenates in the centre. On the side of the Romans the Dictator commanded the right wing, Quintius Capitolinus the left, and the Master of the horse the centre. The latter began the battle with the cavalry, and was soon followed by the foot. The infantry of the Hettrurians

A. R. 318.
Ant. C.
434.

could not sustain the charge of the Romans: their horse, animated by the presence of their King, kept their ground better. There was an officer in the Roman cavalry, called A. Cornelius Cossus, of illustrious birth, of a fine person and stature, and still more distinguished by his bravery. The nobility and merit of his ancestors exalted his courage, and he not only sustained, but augmented, their glory. As he saw that Tolumnius carried terror and confusion wherever he moved: "Is that," cried he, "the infractor of human laws, and of the law of nations? I flatter myself (if there are Gods avengers of guilt) that I shall soon sacrifice that victim to the manes of our ambassadors." On saying this, he spurred forwards with impetuosity against the King, and with the first blow of his lance unhorsed him. He dismounted the same moment, and as the King rose, beat him down upon his back a second time with his buckler, and after having given him several wounds, thrust him through the body, and nailed him to the ground. He then stript him of his spoils, and having cut off his head, fixed it upon the point of his spear, and by that bloody trophy evidenced his victory to the enemy, and spread terror amongst them on all sides. It was no longer a battle, but a flight, with the cavalry. The Dictator, on his side, had broke the enemy's foot, and pursued them vigorously, and with great slaughter. Generals, officers, and soldiers, all equally prompted by the desire of just revenge, seconded his ardour wonderfully. The victory was compleat.

The Dictator entered Rome in triumph. But Cossus, who carried the spoils of the King he had killed with his own hand, engrossed all the honour of that solemnity to himself, and drew all eyes upon him by the novelty of the sight. They were the second royal spoils, *Spolia opima*, that had been taken since the foundation of Rome. Cossus placed his in the temple of Jupiter Feretrius, near those of Romulus.

C. JULIUS, L. VIRGINIUS, Consuls.

53

The common opinion was, even in Livy's time, that the spoils, called *opima*, were only properly so, when taken by one general from another whom he had killed *. Varro thought otherwise. It is however certain that Cossus was at that time only a subaltern officer. The Emperor Augustus affirmed, from having seen it himself, that in the inscription upon the spoils of Cossus, he was termed Consul. He was so some years after, but at a time when there certainly was no such battle. It is not impossible, but that inscription might have been affixed to them in succeeding times by some descendants of Cossus, who might have called him Consul, not that he was Consul when he killed Tolumnius, but because he was so afterwards. Livy, who no doubt did not dare to refute Augustus's testimony, to which he seems however to have no great regard, does not explain himself clearly in this place.

A. R. 318.
Ant. C.
434.

M. CORNELIUS MALUGINENSIS.

A. R. 319.
Ant. C.
433.

L. PAPIRIUS CRASSUS.

Sp. Mælius, Tribune of the People, cited Minucius and Servilius Ahala to take their trials. Livy says this accusation had no consequence: however, Cicero and Valerius Maximus observe, that the latter was banished.

Liv. l. 4.
C. 21—25.
Cic. orat.
pro domo,
n. 86.
Val. Max.
l. 5. c. 3.

C. JULIUS II.

L. VIRGINIUS.

A. R. 320.
Ant. C.
432.

The plague, which had appeared the year before, raged much more during this, both in the city and country. It encouraged the Fidenates to advance almost to the gates of Rome. They were assisted by the Veientes. A. Servilius was created Dictator, who chose Postumus Æbutius Elva master of the horse. The war was terminated by the taking of Fidenæ.

The Censors C. Furius Pacilus, and M. Geganius Macerinus, caused a building in the field of Mars,

* *Opima spolia etiam esse, si manipularis miles detraxerit, dummodo duci hostium.* VARR. apud Fest.

C. JULIUS, L. VIRGINIUS, Consuls.

which they had purchased at the public expence, to be fitted up. The Census was made there for the first time.

A. R. 321.
Ant. C.
431.

C. JULIUS, III.

L. VIRGINIUS, II.

Upon a rumour that the twelve people who composed the state and the whole body of Hetruria, were preparing to attack the Romans, Mamercus Æmilius was nominated Dictator for the second time, who chose A. Postumius Tubertus master of the horse. That alarm of war coming to nothing, the Dictator, seeing himself deprived of the glory which he might have acquired in the field, conceived the design of leaving a monument of his Dictatorship by a new law which he proposed in respect to the office of Censor. He represented to the People, "That it was of importance to the liberty of the public, that the great offices of the state should not be of long duration: that all others were annual, and only the Censorship of five years. That there was reason to fear, that some future Censors, less passionate for the public good than those who had filled that office hitherto, might abuse an authority of so long continuance. That besides, it was oppressive to particulars to have the same persons inspectors and arbiters of their conduct for so long a term. That therefore he believed it expedient to reduce the duration of the Censorship to eighteen months." The law was accepted by the unanimous consent of the People. "And that you may know," said he, "that I do not approve of fices of long continuance, I abdicate the Dictatorship from this instant:" and he accordingly abdicated it.

The Censors were extremely offended by this new law, and carried their resentment to an excess that scarce seems credible. We have seen above, that one of the methods in which those magistrates punished the citizens to whose conduct they had any exception, was to remove them from a more to a less considerable

able Tribe, *Tribu movere*, to strike their names out of the registers of their Century, and to leave them no other right and mark of a citizen, except that of paying a certain contribution, which at the same time they often augmented; this was called *ærariorum facere*. The Censors exercised their revenge in this manner against one of the greatest and most venerable citizens of Rome, whom they condemned to pay eight times the tax he had usually paid before. The People were so much incensed, that they pursued them in the Forum, and would have treated them with violence, if Æmilius had not been so generous as to interpose *. That great man bore so unworthy a treatment with admirable constancy, considering less the intended ignominy in itself, than the cause of it.

The Tribunes by their clamour prevailed to have Military Tribunes elected; but none of the Plebeians were nominated either this or the following year.

M. FABIVS VIBULANVS.

M. FOSSIVS.

L. SERGIIVS FIDENAS.

A. R. 322.
Ant. C.
430.

The plague still shewed itself. As famine was the usual effect of it, the wise precaution was taken of sending early into Etruria, to Cumæ, and even into Sicily, to purchase corn.

L. PINARIIVS MAMERCVS.

L. FURIIVS MEDULLINVS.

SP. POSTUMIVS ALBVS.

A. R. 323.
Ant. C.
429.

The principal Plebeians were highly mortified with having no share in an office, for the institution of which they had so warmly contended. They laid the fault upon the People themselves, by whom they complained of being as little considered as by the Senators. Others ascribed it to the industry of the Pa-

* Quam rem ipsum ingenti animo tulisse ferunt, causam potius ignominie intuentem, quam ignominiam. Liv.

A. R. 323.
Ant. C.
429.

tricians in canvassing ; and to prevent the effect of it, the Tribunes proposed a law, which in our times, says Livy, could not have been moved seriously, its subject was so trifling and contemptible, though it then excited great disputes between the Senate and People. All the Roman citizens wore white habits : but those who stood for offices, and solicited the voices of the People, in order to distinguish themselves the better, and to attract the eyes of the populace the more upon them, augmented the whiteness of their robes by the use of a mixture, wherein chalk had a great part : and from thence they were called *Candidati*, candidates. The Tribunes, to prevent canvassing, they said, were for having candidates prohibited to whiten their robes ; and they carried their point in passing that law. As it seemed certain that the People in their anger would give the Plebeians a share in the approaching election of Military Tribunes, the Senate, by a decree, ordained that Consuls should be elected.

A. R. 324.
Ant. C.
428.

T. QUINTIUS CINCINNATUS.
C. JULIUS MENTO.

Liv. l. 4.
c. 26—29.

The great preparations of war made by the *Æqui* and *Volsci* induced the Senate to think of nominating a Dictator. The Consuls, who opposed each other, and always differed in opinion in every thing else, which much alarmed the Senate, united on this occasion to frustrate a nomination, which they considered destructive to their own authority ; and nothing could divide or make them change their opinion on this head. As the news of the powerful armament of the enemy gave great alarm, Q. Servilius Priscus, who had passed through all the great offices with honour, seeing the Consuls determined not to submit to the authority of the Senate, had recourse to a remedy more dangerous in its effects than the evil it was intended to redress. He exhorted the Tribunes to interpose the authority of the People deposited with them, in order to oblige the Consuls to declare a Dictator. The Tribunes
feized

seized with joy such an occasion of extending their power; and after having deliberated together upon Servilius's demand, they declared unanimously, "That the Consuls had to obey the Senate; and that if they persisted any longer in opposing the unanimous opinion of that august body, they should commit them to prison. The Consuls chose rather to submit to the Tribunes than the Senate; but complained in the strongest terms, that the Senators betrayed their own interest, and the honour of the Consulship, in submitting it to the yoke of the Tribunitian power. They were certainly in the right in this respect. For what could be more injurious or a greater indignity to the Senate, than this threat of the Tribunes to imprison the Consuls? And what they only menaced then, they actually did afterwards. There are more examples than one in the Roman history of Consuls committed to prison by order of the Tribunes. Such are the unhappy effects of discord in Bodies of the greatest wisdom and reputation. They are invincible, as long as their union subsists. Discord, in dividing their strength, makes them weak, and terminates in the ruin of their most important rights and privileges.

When the question was to nominate the Dictator, the Consuls, who always differed in their sentiments, could not agree between themselves who should declare him. They were reduced to decide that point by lot, which fell to Quintius. He chose A. Postumius Tubertus, a man of a steady and imperious character, who appointed L. Julius master of the horse.

The Dictator, after having divided his troops in two bodies, of which he commanded one himself, and gave the other to the Consul Quintius, took the field. They encamped separately, but near enough to each other, at a thousand paces from the enemy, who had also two camps. The Dictator, in several attacks, did all that could be expected from the valour and conduct of the most able general. The enemy, surrounded on all sides, after having lost one of their camps, would have been universally cut off, and had suffered

A. R. 324.
Ant. C.
428.

A. R. 324.
Ant. C.
428.

suffered the just punishment of their revolt, if Vectius Messius, an officer of the Volsci, more distinguished by his bravery and exploits than his birth, had not extricated them out of the almost inevitable danger of a total defeat. Seeing that the troops only moved forwards and backwards, irresolute how to act: "Have you determined, said he to them, to deliver yourselves up in this place to the enemy without defence? Wherefore then have you arms, and why were you the first to declare war, full of courage and boast at distance from danger, but fearful and cowardly in battle? What do you hope from continuing here? Do you expect that some God will come to your aid, and extricate you out of the present difficulty? It is with the sword, that you must open yourselves a way. Such of you as desire to see your houses, fathers, wives, and children again, follow me where I am going to lead the way. Neither walls, nor intrenchments, but men armed like ourselves, oppose our passage. † If you are equal to the enemy in valour, you are superior to them in the necessity of conquering or dying, the last, the strongest of arms."

After having said this, he charged the enemy furiously, followed by his own people with great cries. The body of troops which opposed them under Postumius Albus, one of the lieutenants, began to give way, when the Dictator, who saw what passed, arrived in very good time to their aid. The whole heat of the battle turned this way. The fate of the Volsci depended solely on Vectius, who was now their whole force. Much blood was shed, and a great slaughter made on both sides. On that of the Romans, almost all the general officers were wounded. The Dictator received a wound in the shoulder; Fabius a great one in the thigh with a dart; and the Consul a dangerous one in the arm: however, none withdrew from the battle, except Postumius, who was carried out of the

† Virtute pares, necessitate, quæ ultimum ac maximum telum est, superiores estis. Liv.

press, his head having been almost beaten to pieces by a stone. Vectius, after having acted prodigies of valour, with his brave troop of young intrepid soldiers, opened himself a way through the enemy, of whom he had made a great slaughter, and penetrated as far as the camp of the Volsci, which was not yet taken.

The whole Roman army followed him thither. The Consul, who had pursued the enemy very vigorously to the camp, immediately attacked it. The Dictator did the same on another side. The assault here was no less warm than the battle. The Consul is said to have thrown an ensign into the intrenchments, to animate the courage of his soldiers; and they were the first that broke into the enemy's camp, in order to recover their colours. The Dictator, after having dismounted the palisades, had also entered the camp on his side. The enemy then laid down their arms, and surrendered at discretion. All of them were sold for slaves, except the Senators. Part of the plunder was restored to the Latines and Hernici, who took what belonged to each of them. The Dictator caused the rest to be sold by auction; and having left the Consul to command the troops that remained in the camp, he returned to Rome, where he triumphed, and immediately after abdicated the Dictatorship.

Some writers have abridged the glory of this Dictatorship, by saying that Postumius caused the head of his son to be cut off, for having quitted his post, and engaged without orders, from which action he however came off victorious. The fact is not certain, and seems little probable to Livy. Common opinion ascribes the first and only example of so inhuman a zeal for the military discipline to Manlius Torquatus.

It is observed, says Livy, though it did not then concern the Romans, that it was in * this year, for the first time, that the Carthaginians, who were in pro-

* Herodotus, l. 7. c. 166. remarks, that Amilcar, who had landed in Sicily with three thousand men, was entirely defeated by Gelo the same day that Xerxes lost the battle of Salamin, and consequently about fifty years before the time spoken of in this place.

A. R. 324.
Ant. C.
428.

cess of time to be such terrible enemies of the Roman People, taking advantage of the divisions which prevailed in Sicily, sent an army thither to the aid of one of the parties at war, who had called in their assistance.

A. R. 325.
Ant. C.
427.

L. PAPIRIUS CRASSUS.

L. JULIUS.

Liv. l. 4.
c. 30---34.

A truce of eight years was granted to the Æqui.

A. R. 326.
Ant. C.
426.

L. SERGIUS FIDENAS II.

HOST. LUCRETIVS TRICIPITINUS.

A. R. 327.
Ant. C.
425.

A. CORNELIVS COSSUS.

T. QUINTIVS PENNUS II.

A great drought destroyed abundance of cattle, and occasioned many diseases amongst men. † The very minds of the people seemed in some measure infected with the contagion; for superstition took place exceedingly by the means of certain impostors, who, to turn the credulity of the People to their advantage, went about from house to house teaching new and strange rites and sacrifices. The Ædiles were ordered to take care, that no other Gods and ceremonies of religion should be introduced into Rome, but such as were antiently received there.

A. R. 328.
Ant. C.
424.

SERVILIUS AHALA.

L. PAPIRIUS MUGILANUS.

There was a dispute upon occasion of a war with the Veientes, whether it should be declared by order of the People, or only by a decree of the Senate. The Tribunes prevailed that it should be by order of the People; and also that Military Tribunes should be chosen for the following year. But they still were all Patricians; and four were elected.

† Novos ritus sacrificandi, vaticinando inferentibus in domos, quibus quæstui sunt capti superstitione animi. LIV.

T. QUIN-

T. QUINTIUS PENNUS.

A. R. 329.

C. FURIUS.

Ant. C.

M. POSTUMIUS.

423v

A. CORNELIUS CASSUS.

The three first marched with the army against the Veientes. We shall soon have occasion to observe the pernicious effects of a plurality of Commanders in chief, who seldom have a good understanding with each other. The Veientes took their advantage of the differences that subsisted between these, and in a first engagement had the better, and obliged them to fly to their camp, and to shut themselves up within its works. The disgrace was greater than the loss. But the city, which was not accustomed to defeats, was very much afflicted on account of this, and demanded a Dictator. Cassus nominated Mamercus Æmilius, who chose him General of the horse. This was the same Æmilius, whom the Censors pretended to degrade by their injurious treatment of him. But the mark of infamy which they had set upon him, fell only upon themselves; and Rome evidenced at this time the little regard she had to their unjust sentence, by seeking a Dictator in a house they had so unworthily stigmatized.

The Fidenates had joined the Veientes; and, as if the war could not properly commence without guilt on their side, they sullied their arms with the blood of all the new inhabitants, which Rome had sent amongst them as a colony, in the same manner as they had formerly murdered her ambassadors. The enemy established the seat of the war at Fidenæ.

Rome was in a great alarm. The troops, who had done their duty so ill against the Veientes, had been recalled. Their late defeat had discouraged them. They were made to encamp before the gate Collina. Guards were posted on the walls, the administration of justice was suspended, the shops were shut; and all things resembled a camp more than a city. The Dictator,

A. R. 329. tator, seeing the People in so great a consternation,
 Ant. C. thought it incumbent on him to encourage them be-
 423. fore he set out, and summoned the Assembly. When
 the citizens were met, he ascended the Tribunal, and
 began by reproaching them "for suffering themselves
 to be so much dismayed by the minutest accidents;
 that an inconsiderable loss, not occasioned by the ene-
 my's valour, nor the cowardice of the Roman army,
 but by the discord of the Generals, had on a sudden
 quite damped their courage, and made them afraid
 of an enemy they had so often defeated." He added,
 "That both the Romans and the enemy were the same
 they had been during so many ages; that they had
 the same courage, the same strength of body, and the
 same arms. That as to himself, he was the same Dic-
 tator Mamercus Æmilius, who had heretofore routed
 the armies of the Veientes and Fidenates, supported
 by the Falisci. That his General of the horse was the
 same Cossus, who, when only one of the Tribunes of
 a legion, after having killed Lars Tolumnius, King of
 the Veientes, in the fight of the two armies, had a-
 dorned the temple of Jupiter Feretrius with new Royal
 spoils. That therefore they should remember, that
 they had triumphs, spoils, and victory, on their side;
 and that on the enemy's, there was only the guilt of
 murdering ambassadors contrary to the law of nations,
 the massacre of the colony of Fidenæ at a time of
 perfect peace, the violation of the truce, and revolts
 seven times repeated, notwithstanding the bad success
 with which they had been always attended. That with
 these thoughts they should take arms and follow him.
 That he did not doubt, as soon as the two armies faced
 each other, that the enemy would not rejoice long for
 the slight advantage they had gained; and that on the
 contrary the Roman People would easily comprehend,
 that they who had nominated him Dictator for the third
 time, had done the Commonwealth better service, than
 those who had set a mark of infamy on his second
 Dictatorship, because he had set bounds to the tyran-
 ny of the Censors."

The

The Dictator, after having sacrificed and made vows to the Gods, took the field, and encamped fifteen hundred paces beyond Fidenæ, supporting his right with the mountains, and his left with the Tiber. He ordered Quintius Pennus, his lieutenant, to seize the mountains, and make himself master of the eminence in the enemy's rear, where he might easily conceal himself. The next day the Heturians, emboldened by the victory they had gained a little before, offering battle, the Dictator, as soon as he was informed that Quintius was master of the eminence, gave also the signal, and made his infantry advance fast against the enemy, after having directed the General of the horse not to begin the battle till he received his orders: that he would give him the signal at a proper time; and that he had only to think then of supporting the honour he had acquired by the Royal spoils.

A. R. 329.
Ant. C.
423.

The armies charged each other, and fought with great ardour on both sides. A just desire of revenge, joined with contempt and indignation, animated the Romans strongly against the Veientes and Fidenates, whom they called perfidious allies, cowardly enemies, and infractors of truces, polluted with the blood of ambassadors, and of those who inhabited the same city with them. They had already begun to give way before the first charge, when the gates of Fidenæ were on a sudden thrown open, and a troop of people, armed with fire and flaming torches, came out, who fell upon the Romans like so many madmen. This new form of fight at first surprized and confounded the Romans, when the Dictator, after having ordered Cossus to advance with the cavalry, and Quintius to descend from the mountains, flew to the left wing, which those unexpected fires had put into disorder.

“ How is this, soldiers, said he; are you conquered
 “ with smoke like an hive of bees, and do you quit
 “ your posts, and give way before enemies without
 “ arms? What then is become of the Roman valour?
 “ If you are to fight with fire and not the sword, go,
 “ take those burning torches out of the hands of the
 “ enemy,

A. R. 329.
Ant. C.
423.

“ enemy, and turn them against Fidenæ, in order to
“ destroy a city with its own flames, which you have
“ not been able to conciliate by your favours.” On
these words the Romans resumed courage, and armed
themselves with the torches that had been thrown at
them, or which they had taken from the enemy. It
was no longer a battle, but a kind of conflagration.
At the same time Cossus advanced full speed with the
cavalry, and charging with incredible impetuosity
into the midst of the flames, which did not frighten
the horses as at first they had the men, he beat down
and trampled under foot all before him.

At this instant new cries were heard, which sur-
prized and terrified both armies. The Dictator in-
formed his troops, that it was Quintius attacking the
enemy's rear by his order; and then with great cries
he made them renew the fight with more ardour than
before. The enemy were in extreme confusion, when
they saw themselves attacked at the same time in front
and rear, and that they could neither retire into their
camp, nor to the mountains, from whence the new
enemy were come down upon them. Most of the
Veientes fled in disorder towards the Tiber, in order
to pass it, and return home: but very few of them
escaped. Some were killed upon the banks; others
were pushed into the river, and swallowed up by the
waves; and even those that could swim were drowned
through weariness, wounds, and fear. As to the Fi-
denates, the few that remained of them made towards
Fidenæ through their own camp. The Romans pur-
sued them thither, especially Quintius, whose troops
were still fresh, from their not having come down from
the mountains till towards the end of the battle.
Having entered pell-mell with the enemy, they got
upon the walls, and made a signal that the city was
taken. As soon as the Dictator perceived it, he march-
ed thither with his troops, and advanced to the cita-
del, whither the soldiers and citizens were flying in
crowds. The slaughter was great, till the Fidenates
laid down their arms, and surrendered at discretion,
asking

asking only to have their lives spared. The city and camp were plundered by the troops. The Dictator returned to Rome, and triumphed at the head of his victorious army laden with spoils. Mamercus laid down the Dictatorship sixteen days after he received it, which made people doubt whether his moderation was not still greater than his valour; and left the city, which he found in extreme consternation, in the most profound peace and tranquillity.

A. R. 329.
Ant. C.
423.

A. SEMPRONIUS ATRATINUS.

A. R. 330.
Ant. C.
422.

L. QUINTIUS CINCINNATUS.

L. FURIUS MEDULLINUS.

L. HORATIUS BARBATUS.

A truce for twenty years was granted to the Veientes, and one only for three years to the Æqui, though they had demanded it for a longer term.

A. CLAUDIUS CRASSUS, &c.

A. R. 331.
Ant. C.
421.

The games which had been vowed during the war, were now celebrated with great solemnity, and a vast concourse of the neighbouring people, who were highly satisfied with the kind and engaging manner in which the Romans practised hospitality in regard to them.

After the celebration of these games, the Tribunes, highly discontented and enraged, that the Plebeians could not obtain a single place amongst the Military Tribunes, though that depended absolutely upon the People, made great complaints to them upon that head in their harangues. They reproached the multitude, "that their blind and stupid admiration for those they really hated at bottom, made them continue voluntarily in eternal slavery; that they not only did not dare to aspire at the Consulship, but that even in the nomination of Military Tribunes, in which they had an equal right with the Senate, they forgot themselves, and those attached to them. They added, that they ought not to wonder if none concerned themselves

A. R. 337. any longer in defence of the interests of the People.
 Ant. C. 421. * That persons exposed themselves willingly to labours and dangers of all kinds for those from whom they might reasonably expect advantage and honours. That men would be capable of undertaking all things, if the greatness of rewards answered that of their endeavours. But for a Tribune of the People to plunge headlong into disputes, in which he could foresee nothing but dangers and no advantage; and from which the only fruits he could promise himself were implacable hatred and eternal persecution on the side of the Senators, and on that of the People, for whom he contended, a total oblivion of all his interests: this was what could neither be expected nor required. That great honours generate great courages. That no Plebeian would despise himself, if he ceased to be despised by others. That at least they ought to make trial of some of them, to experience what they are capable of, and to see if it were so prodigious a thing to find a man of valour and merit amongst the people. That, after many conflicts, they had prevailed that Military Tribunes with Consular authority might be elected out of the People. That Plebeians, generally esteemed for the services they had rendered the State both in peace and war, had offered themselves as candidates for that dignity. That in the first years, they had been shamefully rejected, and made to serve only for the laughter of the Patricians; that they had since ceased to produce themselves on the like occasion, to avoid being made a sight, and experiencing so sensible an affront. That they saw no reason why they did not entirely abolish a Law, that gave a Right, of which they were never to make use. That, whatever injustice there might be in such a proceeding, it would be less shameful for them not to be admitted into an office from which they were excluded by law, than to exclude themselves as unworthy of it."

* Eo impendi laborem ac periculum unde emolumentum atque honos speretur. Nihil non aggressuros homines, si magna conatis magna præmia proponantur. Liv.

This

A. CLAUD. CRASSUS, &c. Mil. Trib.

67

A. R. 331.
Ant. C.
421.

This kind of harangues were heard with pleasure, and received with applauses. They induced some Plebeians to offer themselves as candidates for the office of Military Tribune, promising the People, that during their administration they would pass laws in favour of their interests; as, for distributing the lands belonging to the public, establishing new colonies for the relief of the citizens, and imposing a fixed tax upon the proprietors of lands for the payment of the armies. The Military Tribunes actually in office, were not ignorant of all that passed amongst the People. They took the advantage of a season when few of the magistrates were at Rome; and having clandestinely given the Senators advice to repair thither at a certain day, the Senate, in the absence of the Tribunes of the People, decreed, that, as there was advice, that the Volsci had taken the field to ravage the country of the Hernici, the Military Tribunes should set out immediately to inform themselves upon the spot concerning the fact, and that in the mean time the assembly for the election of Consuls should be held. They left the colleague to govern Rome upon whose tenaciousness they could most rely: this was Appius Claudius, the son of the Decemvir, a young magistrate of great fire and audacity, and who had imbibed from his cradle an hatred for the People and their Tribunes. He immediately summoned the assembly, and Consuls were chosen. The Tribunes of the People were surprized and confounded at their return, and were incapable of acting any thing either with respect to those who had passed the decree and were absent, or Appius, the affair being entirely over and completed.

I do not know whether it was consistent for so grave and venerable a body as the Senate, to employ such little arts, as it did upon this occasion for the election of Consuls. I find something much more noble in the conduct of the People, and cannot sufficiently admire it. Animated by their Tribunes, they had made the utmost efforts, and proceeded to the last extremities,

A. R. 331.
Ant. C.
421.

for being admitted to share in the Consulship. All is in a flame, and there is no danger that is not to be feared, so enraged do the populace appear, and so ready to commit the greatest violences. The Senate give way, and grant the Plebeians what they demand, changing only the name. The People immediately chuse three Military Tribunes with Consular authority, and not one of them Plebeians. What then is become of this fury of the People, ready to subvert all things? Like those violent and momentary storms that leave no traces behind them, it changes immediately into a wisdom and moderation, which have no example. It would perhaps seem less wonderful, that the People, charmed with the condescension of the Senate, in the first moments and transport of their joy, should pique themselves upon not giving place to that august Body, and upon nobly renouncing their own interests. But, notwithstanding the warm and continual sollicitation of the Tribunes, to persist in the same sentiments during so many years, for twenty are already past since the institution of Military Tribunes, and as many more will pass without any Plebeians being admitted into that office; this is what seems to me above all praise. There is reason to believe that the people thought and acted in this manner out of esteem for the wisdom and conduct of the Senators, in whose hands they deemed the authority of the government better lodged than in those of the Plebeians. An expression in the harangue of the Tribunes which I have repeated above, seems to insinuate this. They reproach the People, that their blind and stupid admiration of the Senators makes them condemn themselves to eternal slavery, *quod admiratione eorum quos odissent stupens, in aeterno seipsa servitio teneret*. This then, according to the Tribunes, is the People's reason for not being willing hitherto to admit Plebeians into the first dignities of the state. Could any thing do them greater honour?

C. SEMPRONIUS ATRATINUS.

A. R. 332.

Q. FABIVS VIBULANVS.

Ant. C.

420.

There happened this year a thing not immediately affecting Rome, but which merits a place here, because the city to which it relates will have a great part hereafter in the Roman history. The Samnites had long made war with the Hetrurians, most probably upon account of a city called at that time Vulturnum, in the dependance of the latter. The Hetrurians, weary of the length and expences of the war, consented at length that the Samnites should send a colony into Vulturnum, and that it should be put into possession of part of the city and country adjacent. Some time after, the Samnites, taking advantage of a public solemnity, which was passed in feasting and merriment, murdered in the night all the first inhabitants, whom they found buried in wine and sleep, and became, by that horrid massacre, sole masters and possessors of the city. They changed its name, and called it Capua, from Capys their chief, or for some other reason.

Liv. l. 4.
c. 37—42.

The report of the extraordinary preparations for war made by the Volsci, were found to be only too true. Sempronius marched against them. He was a general of great valour, popular, and familiar with the soldiers, by whom he was adored; but he was more a soldier himself than a great captain, and made war, as if valour alone sufficed for discharging all the duties of a commander in chief. As he led a victorious army against a conquered enemy, he took none of those precautions, which may be considered as certain pledges of good success. He formed no body of reserve, disposed his horse very ill, and acted in every thing with the utmost negligence, assuring himself of victory. The Volsci undeceived him. When they came to a battle, the Romans made no great resistance, and soon gave way. It was in vain for the Consul to employ exhortations or reproaches. When fear has once seized the soldier, he sees and hears the example and orders

A.R. 332.
Ant. C.
420.

of his general no longer. The Romans hearkened to nothing, and the whole army was upon the point of being routed, when a simple * Decurio of the horse, called Tempanius, prevented a total defeat. That brave man, seeing all give way, and that the cavalry, which the Consul had left in a place where the ways were so broken that it could not act, cried out with a loud voice to the horse to dismount, if they would save the Commonwealth. The horse obeyed to a man, as if the Consul himself had given that order. "If we do not stop the enemy, said he, the Roman power is no more. Follow my lance instead of an ensign, and shew both the Romans and Volsci, that on foot as well as on horseback nothing is able to resist you." All raised a great cry to express their approbation; and he advanced at the head of them with his lance raised. They charged where the Romans were most pressed. Where-ever they appeared, they re-instated the battle, and if their number had admitted them to shew themselves every where, they would undoubtedly have obliged the enemy to fly. As their impetuosity could not be sustained, the general of the Volsci ordered his troops to open them a way where they attacked, till that new battalion being too far advanced, should be separated from the rest of the army. This happened accordingly, and is a very usual fault with victorious troops. Those brave soldiers could not return the same way they had entered, the enemy having closed and strengthened their line extremely in that part of it, to prevent them from getting back. The Consul and Roman legions having lost sight of the battalion in which their whole force consisted, and apprehending, that those generous troops would be overpowered by the enemy, made the utmost efforts to find and rejoin it. The Volsci, on one side, strongly repulsed the Consul and legions, and on the other charged Tempanius and his soldiers with vigour.

* The horse of each legion was divided into Decuriæ, consisting of ten men. The officer who commanded one, was called Decurio.

The latter, after having made many attempts, but always ineffectually, to break through the enemy, and return to the gross of their own army, seized an eminence, where they drew up in an orb, and defended themselves with a courage, that cost the Volsci abundance of blood. Only the night put an end to the battle. The Consul, on his side, continued to sustain and repel the enemy, as long as any light remained; when both sides drew off, without knowing which had gained the victory. The terror was so great in both armies, that each believing themselves defeated, left their wounded men with a great part of their baggage in their camp, and retired to the neighbouring mountains. The Volsci, however, surrounded the eminence till midnight, when being informed that their camp was abandoned, and believing their army defeated, they went off as they could.

Tempanius, who did not doubt but he should be attacked as soon as it was light, was very much surprized at day-break to see neither friends nor enemies. He could not conceive what was become of the two great armies, which occupied the plain a few hours before, and went himself first to view the camp of the Volsti, and afterwards that of the Romans. He found the same solitude, and saw only some wounded men who had not been able to follow the gross of their army, in both. From thence he went immediately to the field of battle, where nothing presented themselves to his view but dead and dying men, and the dreadful scene usual the next day after a battle. He then carried off with him as many of the wounded as he could, and not knowing what route the Consul had taken, marched by the shortest way for Rome.

The news of this unfortunate battle, and of the camp's being abandoned, had already spread there, and occasioned a general consternation in every family. The loss of the cavalry was particularly deplored, who were believed to have been entirely cut to pieces. The Consul Fabius, to prevent surprize, had posted

A. R. 332.
Ant. C.
420.

troops at the gates. A body of armed men perceived at a great distance, gave the city new terror, and it was feared that they were the enemy. That fear soon changed into inconceivable gladness, when it was discovered that these troops were the horse, who were believed dead. Nothing was heard throughout the city but acclamations of joy. Their mothers and wives, quite out of their senses, and forgetting the decency of their sex, ran to meet them, and with faces bathed in tears, tenderly embraced their children and husbands, whom they saw again contrary to all expectation.

The Tribunes of the People expressed their virulence against the Patricians at a very wrong time on this occasion. They had cited M. Postumius and T. Quintius before the People, on account of the battle of Veii, lost by their fault four or five years before. The present seemed a favourable occasion for reviving that affair. Having summoned the assembly, they represented with abundance of warmth and vivacity, that the fault of the two generals at Veii having remained unpunished, had made way for what had happened against the Volsci, where the Consul had betrayed his army, abandoned the bravest of the cavalry to be cut to pieces, and shamefully deserted his camp. One of the Tribunes, called C. * Villius, caused the Knight Tempanius to be cited, and interrogated him juridically before the whole assembly in these terms. " Tempanius, I ask you, whether you believe that
" the Consul Sempronius gave battle at a proper time,
" whether he posted a body of reserve for the security
" of the army, and whether he discharged any of the
" duties of a good Consul? I ask you again, when
" you saw the legions routed, whether you did not,
" of your own accord, make the horse dismount, and
" reinstate the battle? Whether, when you and your

* He is called C. Julius in the text. The Julii were Patricians, and consequently could not be Tribunes of the People. Sigonius conjectures with much probability on his side, that C. Villius should be read here.

“ followers were separated from the rest of the army,
 “ the Consul aided you in person, or sent you any
 “ aid? Whether you were joined by any reinforce-
 “ ment the next day? Whether you and your troops
 “ did not penetrate to our camp in effect of your own
 “ courage? Whether you found the Consul or the
 “ army there? or whether you did not find it aban-
 “ doned by all, except the sick and wounded, that
 “ had been left in it? As you are a man of truth,
 “ and one by whose valour alone our army was pre-
 “ served, you are to answer to all these heads faith-
 “ fully, and without disguising any thing; and also
 “ to tell me, where Sempronius and the legions are?
 “ Whether you abandoned the Consul, or the Consul
 “ you? And lastly, whether we gained the victory, or
 “ were defeated?”

The affair was delicate and perplexing to a soldier, who was unwilling either to depart from truth, or accuse his general*. The answer of Tempanius was simple and soldierly, that is to say, without ornament, but full of good sense and dignity; and he equally avoided setting himself off, and accusing or lessening others. It was, “ That it did not become a soldier to pass his judgment upon the military abilities of his general: that the People should have made that enquiry, when they elected him Consul. That therefore he should not be asked what he thought of the plan and designs of Sempronius as to the operations of the war, upon which he conceived the most expert in the art military might find it difficult to answer. That as to him, he could only speak what he saw, which was, That before he was separated from the gross of the army, he saw the Consul fighting at the head of the troops, exhorting them, and repairing in person wherever the danger was greatest: that afterwards himself and his followers lost sight of him. That however, by the noise and cries which he heard, he judged that the

* Adversus hæc Tempanii oratio incompta fuisse dicitur, cæterum militariter gravis: non suis vana laudibus, non crimine alieno læta.

A. R. 332.
Ant. C.
420.

battle had been continued till night; and that the numbers of the enemy had prevented the Consul from penetrating to the eminence he had seized. That he did not know where the army was; but conjectured, that as himself and his followers had taken the advantage of an eminence for their defence, the Consul had sought a proper place to encamp, for the better security of himself and his army. That he believed the troops of the Volsci were in no better condition than those of the Romans: and that the night had equally prevented the two armies from knowing how to act, or what was become of each other." For the rest, he desired they would favour him so far as not to detain him any longer, being in great need of rest after his fatigues, and to get his wounds dressed. And indeed, the Tribune was very unreasonable, to stop, as he did, a soldier so much fatigued as Tempanius must have been, for the sake of interrogations so little necessary and so absurd. He returned home with the highest praises and applauses of the whole People, who admired the wisdom and moderation of his answer still more than the valour and good conduct, with which he had so lately fought the enemies of his country.

But the Tribunes continued their proceedings against the two commanders they had cited before the People. As the multitude were highly afflicted with what had happened against the Volsci, and very much dissatisfied with their generals, Postumius was condemned in a fine: but as for Quintius, his great actions since the unfortunate battle of Veii, and the regard of the People for his father Cincinnatus and his (1)

(1) Quintius Capitolinus mentioned here survived Cincinnatus, who was Dictator after fourscore: from whence, and what he says above in Cæso Quintius's trial, Capitolinus should rather have been the uncle than grandfather both of this Consul and Cæso. Livy says, he implored the People, that having so short a time to live, they would not suffer him to carry the sad news of their severity to Cincinnatus: "exactæ jam ætatis Capitolinus Quintius, suppliciter orans, ne se brevi reliquo vitæ spatio tam tristem nuncium ferre ad Cincinnatum patrentur." LIV. l. 4. c. 41.

grandfather Q. Capitolinus, spared him that affront, and he was acquitted.

A. R. 332.
Ant. C.
420.

The People amongst the rest of the Tribunes nominated Sex. Tempanius, A. Sellius, L. Antistius, and Sex. Pompilius, though absent. The three last were the principal persons of the Knights, who had followed Tempanius in the generous action we have just related. This shews that the People are sensible to merit, and are not slow in rewarding it. The valour alone of those four noble soldiers had made interest for them in their absence.

The Consulship having given great disgust this year, Military Tribunes were elected for the next.

L. MANLIUS CAPITOLINUS, &c.

The beginning of the year, L. Hortensius, Tribune of the People, cited Sempronius the Consul of the last year, to take his trial. His four colleagues mentioned above desired him not to proceed with rigour against their general, who could be reproached with nothing but his ill fortune. As the Tribune seemed averse to complying with their request, they declared, that if he persisted in his resolution, they would change habits with the accused, present themselves to the People as suppliants, and implore their pity for a general, who had always treated them with great goodness, and whom they looked upon as their father. Hortensius could hold out no longer against such moving and noble sentiments. "The Roman People," said he, shall not see their Tribunes in the garb of "suppliants and criminals. I desist from proceeding against Sempronius, as he has known how, during "his command, to make his soldiers love him so well." And indeed, that is an exceedingly great merit, and a glory to which generals cannot too much aspire*. The People and Senate equally admired both the warm gratitude of the four Tribunes, and the facility with which Hortensius complied with such just entreaties.

A. R. 333.
Ant. C.
419.

* Nec pietas quatuor Tribunorum, quam Hortensii tam placabile ad justas preces ingenium, pariter Plebi Patribusque gratior fuit. Liv.

S E C T. IV.

Two new Quæstors for the army are instituted, which officers are still chosen out of the Patricians. Functions of the Quæstors. Sempronius is fined. A Vestal virgin accused and acquitted. Conspiracy of the slaves stifled in its birth. Misunderstanding of the generals followed with their defeat, which is retrieved by the Dictator. Postumius, one of the Military Tribunes, is stoned by his army. Punishment of that murder. Various divisions and wars. The Plebeians attain the Quæstorship. War against the Volsci. New troubles in the commonwealth. Pay of the Roman infantry first instituted. Siege of Veii begun.

NUMERIUS FABIVS VIBVLANVS.

T. QVINTIVS CAPITOLINVS.

A. R. 334.
Ant. C.
418.

Nothing considerable passed without doors during this Consulship; but there was abundance of agitation within, and it is easy to judge that the Tribunes were at the bottom of it.

Till then there had been only two Quæstors, whose functions were confined to the city, and who had always been elected out of the body of the Patricians. The Consuls proposed the creation of two more, to follow the Consuls and generals to the field, and whose province should extend solely to war. The Tribunes did not reject this proposal, but they demanded, that part of the Quæstors should be elected out of the Plebeians. The Senate, after great disputes, consented, that the same should take place in respect to the Quæstors as to the Military Tribunes, and that the People should be at liberty to chuse them indifferently out of the Patricians or Plebeians. But this concession, though it cost the Senate much reluctance, did not satisfy the Tribunes. Instructed by what happened in the election of Military Tribunes, they insisted upon its being decreed, that the Quæstors should

be

Q. CINCINNATUS, &c. Mil. Trib.

77

the absolutely chosen half Patricians and half Plebeians. A. R. 334.
The Senate, the more easily to terminate this affair, Ant. C.
desired exceedingly to proceed to the election of Con- 418.
suls: for the time was arrived. It was necessary for
them to pass a decree for that purpose, which the
Tribunes opposed.

The Consuls having quitted their office, an Inter-
regnum ensued, which continued a considerable time,
through the new difficulties which were started every
day, and urged very warmly on both sides. At length,
on the remonstrances of L. Papirius Mugillanus, who
had been appointed Inter-rex after several others, an
accommodation was concluded, in which each side
seemed to abate something of their pretensions. Its
purport was, that the Senate should suffer Military
Tribunes to be nominated in the room of Consuls;
and that the Tribunes of the People should not op-
pose the election of Quæstors indifferently out of the
two orders.

They began by chusing Military Tribunes. They
were all Patricians.

L. QUINTIUS CINCINNATUS, III.

S. FURIUS MEDULLINUS, II.

M. MANLIUS.

A. SEMPRONIUS ATRATINUS.

A. R. 335.

Ant. C.

417.

The election of Quæstors came on next. Sempro-
nius presided in the assembly held for that purpose.
Amongst several Plebeians, who were candidates for
that office, were the son of Antistius, and a brother
of Pompilius, both Tribunes of the People. Their
credit was great; strong interest was made; and they
omitted nothing that might acquire them the honour
of being the first to introduce the Quæstorship into
the Plebeian order, the one in favour of his son, and
the other of his brother. Their endeavours were,
however, abortive, and the People could not help
preferring the nobility, whose fathers and grandfathers
they had seen discharge the functions of the Consulship
with dignity and splendor.

The

A. R. 335.
Ant. C.
417.

The Tribunes in effect were in the highest fury, especially those whom that disgraceful disappointment personally affected. They said, "That they could not conceive how the People could be so insensible to the services they had done them, the ill treatment they had received from the Senators, the earnest request of two of their Tribunes in behalf of a son and a brother, and the pleasure of possessing a new dignity that offered itself to them, as to be able to persevere tenaciously in refusing to reward any Plebeian, not only with the office of Military Tribune, but now with the Quæstorship." They cried out that there must infallibly have been some fraud in reporting the suffrages, and that Sempronius, who had taken them, ought to be called to an account. But as he was a person of distinguished probity, whom his innocence and the dignity of his office placed out of their reach, they turned their whole indignation against his kinsman C. Sempronius. They revived the affair of the last battle, and cited him to take his trial before the People. Notwithstanding all the endeavours used by the Senators in his favour, they could not prevent him from being condemned in a fine.

Summary description of the functions of the Quæstorship.

Quæstor is properly what we call treasurer. It is derived * from a Latin word that signifies To enquire, because to enquire into the public revenues, and sometimes into criminal affairs, was confided to the care of the Quæstors.

Only two were created at first, whose functions did not extend beyond the city. Authors do not agree concerning the time of their institution. The most common opinion places it in the reign of Tullus Hostilius, or in the Consulship of Valerius Publicola, the first year after the expulsion of the Tarquins. There were two Quæstors annually chosen, and of the Patrician order.

* Quæstores à quærendo dicti sunt, qui conquirerent publicas pecunias, & maleficia. VARR, l. 4. de ling. Lat.

It was the Quæstors, who prosecuted Sp. Cassius before the People, (Livy mentions Quæstors for the first time in that passage) and who also accused M. Volscius.

A. R. 335.
Ant. C.
417.
Liv. l. 4.
c. 41.
Id. l. 3.
c. 24, 25.
Liv. l. 4.
c. 43.

The two Quæstors of the city, who till then had been chosen by the Kings, according to those who ascribe the institution of them to Tullus Hostilius, and afterwards by the Consuls; two others were added to serve abroad and in the armies the 334th year of Rome. The People prevailed to have it ordained, that for the future the Quæstors might be chosen indifferently out of the Plebeians and Patricians.

The Quæstors of the city had the keeping of the public treasury, called *Ærarium*, which was in the temple of Saturn. They deposited there the sums paid into their hands by the tax-farmers of the Roman People, those which were raised by the sale of spoils taken from the enemy, and all the public revenues in general. They kept an exact register of receipts and disbursements, and delivered no sum without the order of the Consuls or the Senate. When the army was upon the point of taking the field, they took the ensigns out of the public treasury, where they were kept, and caused them to be carried to the Consul. The commonwealth also charged them with the care of lodging Embassadors, of supplying them with all necessaries, and giving them the presents ordered by the Senate at their departure.

The Quæstors for the service abroad were created, as we have said before, for the * occasions of war. They had the keeping of the military chest, and accompanied the Consuls and generals in the army, in order to take an account, and to sell the spoils of the enemy, and especially to provide what was necessary for the subsistence of the army.

There were only two of these at first: but their number was augmented in proportion to the conquests of the Roman People. One was sent into each pro-

* Ut præter duos urbanos Quæstore, duo Consulibus ad ministeria belli præstò essent. Liv. l. 4. c. 43.

A. R. 335. vince with the Prætor, except Sicily, which had two,
 Ant. C. because it was divided into two parts: the one resided
 417. at Lilybæum, and the other at Syracuse. Besides the
 military chest, of which they had the keeping, those
 who farmed the revenues of the Roman People, paid
 the sums collected from the provinces into their hands,
 which they returned to Rome, in order to their being
 deposited in the public treasury. Sometimes, in the
 absence of the Prætor, the care of administering jus-
 tice, and even commanding the army, was confided to
 them.

The Quæstors drew lots for their different provinces,
 whether in the city, in Italy, or elsewhere.

The Quæstorship was not one of the great offices
 of the State, but * the first step to them. It was not
 usually conferred till after ten years service, that is
 to say, at about the age of twenty-seven.

I cannot conclude this little digression upon the
 Quæstorship better, in my opinion, than with a fine
 passage of Cicero, wherein he repeats the disposition,
 with which he entered into that office. After † hav-
 ing called the Gods to witness the sincerity of what
 he is going to say: "In all the employments, says
 he, with which the Roman People have hitherto ho-
 noured me, I have thought myself obliged by the
 most sacred ties of religion to discharge the duties of
 them worthily. When I was first made Quæstor, I
 considered that dignity, not as a gift bestowed on me,
 but as a deposit confided to my vigilance and fidelity.
 When I was afterwards sent in the same office into
 Sicily, I imagined that all eyes were fixed upon me

* Quæstura primus gradus honoris. 2 VERR. n. II.

† O dii immortales—ita mihi meam voluntatem spemque reliquæ
 vitæ vestra populi que Romani existimatio comprobet, ut ego, quos
 adhuc mihi magistratus populus Romanus mandavit, sic eos accepi, ut
 me omnium officiorum obstringi religione arbitrarer. Ita quæstor sum
 factus, ut mihi honorem illum non tam datum quam creditum ac
 commissum putarem. Sic obtinui quæsturam in provincia ut omnium
 oculos in me unum coniectos arbitrarer: ut me quæsturamque meam
 quasi in aliquo orbis terræ theatro versari existimarem; ut omnia
 semper, quæ jucunda videntur esse, non modo his extraordinariis
 cupiditatibus, sed etiam ipsi naturæ ac necessitati denegarem. VERR.
 7. n. 35.

alone, and that myself and office were in a manner exhibited upon some great theatre to the sight of all nations. With this thought I denied myself not only all pleasures, that induce strong passions, but even those which are most allowable and even necessary." It were to be wished that all magistrates entered upon office with the same dispositions.

A. R. 339.
Ant. C.
417.

The same year that the number of Quæstors was augmented, Postumia, one of the Vestals, was accused of having violated her vow of chastity*. A too great care in adorning her person, and a behaviour too free for a sacred virgin, had occasioned her being suspected of that crime, not without some foundation. She defended her cause, and justified herself. At first a farther examination was decreed: and then, after she had been declared innocent, the Great Pontiff admonished her to behave with more prudence and less gaiety for the future; and to have more regard to modesty than taste and elegance, in her dress.

The people of Capua about this time made themselves masters of the city of Cumæ, which had been possessed till then by the Greeks.

AGR. MENENIUS LANATUS, &c.

A. R. 336.
Ant. C.
416.

The slaves formed a conspiracy to set the city on fire in several parts, in order to seize the Capitol, whilst the People were employed in extinguishing it. Jupiter, says Livy, frustrated the effect of so criminal a design: for the Romans referred every thing to the Divinity. Two of the slaves discovered the conspiracy. They were rewarded with their liberty, and

* Postumia, virgo Vestalis, de incestu causam dixit, crimine innoxia*; ob suspicionem propter cultum amœniorem, ingeniumque liberius quam virginem decet, parum abhorrens famam. † Ampliatam, deinde absolutam pro collegii sententia, Pontifex maximus abstinere jocis, colique sanctè potius quam scitè jussit. Liv.

* 'Ob suspicionem,' &c. This Latinity is suspected by Gronovius. He reads: ab suspicione—parum abhorrens. Eam &c.

† 'Ampliata.' By Ampliation: a term used when it was decreed by the judges, that the process should be begun again, that is to say, that the cause should be tried second or third time.

a considerable sum of money for those times; and the most criminal were punished.

A. R. 337.
Ant. C.
415.

L. SERGIUS FIDENAS.

M. PAPIRIUS MUGILLANUS.

C. SERVILIUS.

The war with the Æqui was in a manner become annual. The people of Lavicum had joined them. The Senate decreed that two of the Consular Tribunes should march against the enemy, and that the third should remain in the city to govern it. These functions were to be decided by lot. None of them were willing to have the latter province, as least honourable; and each believed himself the most capable of commanding the troops. As none of them would give place to the others, Q. Servilius, father of one of them, rose up, and said: "Since you have no
" respect either for the Senate or the Commonwealth,
" paternal authority shall put an end to the dispute.
" My son, without drawing lots, shall take upon him
" the care of the city. I wish that those, who are so
" fond of the command of the army, may act with
" all the prudence and union necessary to its success."

This discourse shews how far the power of fathers extended over their children, even when supreme magistrates, and how much it was respected at Rome. It was not thought proper to levy the army out of all the Tribes: ten of them only were drawn by lot, of which the youth were listed. After which the two Tribunes set out.

The misunderstanding, which had already began to appear between them in the city, broke out much more in the camp, and always flowed from the same principles, the high esteem that each of them had for his own capacity, and the desire of commanding alone. They never agreed in opinion, and each insisted inflexibly upon his own. Each was for having no counsels followed, and no orders executed, but his own. The only point they did not differ in, was to have a supreme contempt for each other. Their dissension

ran

ran so high, that the Lieutenant Generals were obliged to remonstrate to them, that affairs could not subsist upon the present foot; and they prevailed upon them to divide their authority, and command each his day alternately.

When this news came to Rome, Servilius, whose experience was very great in effect of his years and employments, implored the Gods, that they would not suffer the discord of the Tribunes to prove fatal to the Commonwealth; and foreseeing, that some great calamity was at hand, he pressed his son to make the levies, in order to be ready to take the field on the first notice.

He was not mistaken. Sergius, on one of the days that he commanded, seeing the enemy kept close within their intrenchments, believed it was through fear, and advanced to their camp, in hopes of making himself master of it. He was no sooner arrived at it, than the enemy marched out of it suddenly, attacked the Romans with all their forces, and pursued them into the valley down the ascent with great slaughter. The Romans found it very difficult to defend their camp for that day only: but the next, when they saw the Æqui investing them on several sides, they shamefully abandoned it. The Generals, with their Lieutenants, and their best troops, who did not quit their ensigns, retired to Tusculum. The rest dispersed themselves about the country, and by different ways arrived at Rome, where they represented the defeat much greater than it really was.

The alarm was the less at Rome, as it was in some measure expected, and because the military Tribune Servilius had prepared new forces. Couriers, who had been dispatched to inform themselves of the condition of the army, brought advice, that the Generals and troops were at Tusculum, and that the enemy still continued in their old camp. But what revived the people's courage most, was the nomination of Servilius Priscus Dictator by order of the Senate. He appointed his son, one of the military Tribunes, his

A. R. 337.
Ant. C.
415.

General of the horse, by whom himself had been declared Dictator. Others however say, that Ahala Servilius was chosen General of the horse upon this occasion.

The Dictator set out with the new army, and having reinforced it with that at Tusculum, he encamped at two miles from the enemy. The neglect and insolence, which had before appeared in the Roman Generals, went over to the Æqui with their good success. The Dictator, after having sent his horse in the beginning of the battle to charge the enemy's front, which soon put them into disorder, advanced with the Legions; and finding a standard-bearer slacken his pace, he killed him with his own hands. The ardour of the Roman troops was so great, that the Æqui could not sustain their attack, and fled to their camp, the taking of which cost still less time and trouble than the battle, though very short. The Dictator gave the whole plunder of it to the troops. The horse, who had pursued the enemy in their flight, having brought back advice, that all the people of Lavicum, and great part of the Æqui, had retired into that city, the army marched thither the next day. The place was taken by assault, and plundered the soldiers.

The Dictator marched back his victorious army to Rome, and abdicated his office eight days after he had received it. The Senate, before the Tribunes had time to speak of the distribution of the lands, very judiciously decreed that a colony should be sent to (i) Lavicum. Fifteen hundred citizens went thither, to whom two acres a man were given.

A. R. 338.
Ant. C.
414.

A. MENENIUS LANATUS II. &c.

A. R. 339.
Ant. C.
413.

A. SEMPRONIUS ATRATINUS III. &c.

During these two years every thing was quiet. Mæcilius and Metilius, two Tribunes of the People, ex-

(i) Lavicum, or Labicum, was a city in the country of the Latines, about fifteen miles from Rome,

cited

cited some commotions by proposing a law for the distribution of the lands belonging to the public: this was the usual bait with which the most seditious of the Tribunes lured the People. Whenever they were for distressing the Senate, and extorting some new privilege from them, they never failed to revive this old pretension. The Abbé Vertot gives us a very clear account of the grounds and causes of these divisions, which recur so often in the Roman History, and of the unsurmountable difficulties with which a distribution of lands was attended: I shall do no more than copy him in this place.

A. R. 339.
Ant. C.
213.

Rome, built upon the lands of strangers, and originally dependent upon the city of Alba, had little or no territory, that it had not conquered sword in hand. The Patricians, and those who had the greatest share in the government, had taken some districts of it into their own hands, subject to a certain taxation or Census, and at a rent; they afterwards appropriated such parts of it as suited them best to themselves, and formed them into a kind of patrimony. Long prescription had covered these usurpations, and made it very difficult to trace the ancient boundaries that separated what belonged to the public, from what had been granted to each particular.

The Tribunes however pretended to dispossess the antient proprietors of these lands, who had even erected buildings upon them. So odious an enquiry put the principal Houses of the Commonwealth into a consternation. The Senate often assembled to concert measures for rendering such dangerous proposals abortive. Appius Claudius, though the youngest and last of the Senators, proposed advice upon this occasion, which was not disagreeable to his order. He said, "that the means for opposing the tyranny of the Tribunes was to be sought only amongst themselves. That in order to this, they had no more to do than to bring over only one of those Plebeian Magistrates, to prevent the bad designs of his colleagues

A. R. 339. by his opposition. That the last and least popular in
 Ant. C. that office were the persons to be applied to. That
 413. those men who were now in the public affairs, and jealous of the authority, which Mæcilius and Metilius assumed, would not be insensible to the caresses of the Senate; and perhaps would lend them their opposition, merely for the sake of appearing considerable, and of making some figure in the government."

This advice was unanimously approved, and Ap-
 pius was highly praised for not degenerating from
 the virtue of his ancestors. Such of the Senators as
 had any intimacy with the Tribunes of the People,
 insinuated themselves into their confidence, and "re-
 presented to them the confusion into which they would
 plunge the State in general, and every family in par-
 ticular, if an endless disquisition were to be entered
 into, in order to establish which lands were granted
 by Romulus, which were acquired from the neigh-
 bours during the space of three hundred years, and
 which particulars had appropriated in different ages.
 That the scheme of a law for establishing a perfect
 equality of fortune between all the citizens, would
 subvert the subordination so essential in a state; that
 the rich, whether Patricians or Plebeians, would not
 suffer themselves to be deprived so easily of the estates
 they had either inherited from their ancestors, or actu-
 ally purchased from legal possessors; and that so inju-
 rious an enquiry would infallibly occasion a civil war,
 and perhaps cost the best blood in the Commonwealth."
 At length, between entreaties and remonstrances, they
 were so successful as to bring over six of the ten
 Tribunes; and they opposed the promulgation of
 the law.

Mæcilius and his colleague, enraged to see them-
 selves opposed at their own tribunal and by their own
 colleagues, treated the six as traitors, enemies to the
 People, and slaves to the Senate. But notwithstand-
 ing those injurious appellatives, as the opposition of
 only one Tribune sufficed for putting a stop to the
 pro-

proceedings of the nine others, and six opposed the passing of this law, Mæcilius and his colleague were obliged to desist from their enterprize.

P. CORNELIUS COSSUS, &c.

A. R. 340.

Ant. C.

CN. CORNELIUS COSSUS, &c.

412.

A. R. 341.

Ant. C.

M. Postumius Regillensis, one of the Military Tribunes, took a small city called (1) Volæ. That General had a capacity for war, but was cruel, haughty, proud of his birth and dignity, and carried those advantages too far in a commonwealth, where all the citizens pretended to be equals. He had declared in attacking the place that the soldiers should have the spoils of it; but when it was taken he changed his mind. This breach of his word had given birth to great disgust against him.

411.

Liv. l. 4.

c. 40---51.

His colleagues having sent for him to the city upon account of commotions excited by the Tribunes of the People, of whom one, called Sextius, proposed in his presence the sending of a colony to Volæ, adding, that it was but just to grant that city and its dependencies to those who had acquired it by their arms; he answered brutally, "Wo be to my soldiers, if they insist on any such thing." Those words shocked the whole assembly exceedingly, and the Senate afterwards, when they were told it. Sextius, who was a man of spirit, and did not want eloquence, was very glad to find in the adverse party a man of a proud heart and a petulant tongue, whom it was easy to provoke and enrage into venting violent and rash expressions, capable not only of rendering his person odious, but of doing great prejudice to his cause and party. Accordingly he attacked him more frequently and with greater warmth than any of the other Military Tribunes. Immediately after his menacing words, which I have just mentioned, "Do you hear, Romans," said Sextius, the menaces Postumius makes his

(1) Or Bola, upon the frontier of the country of the Æqui, about sixteen miles from Rome.

A. R. 341.
Ant. C.
411.

“soldiers, as if they were slaves? However, when
“the first offices of the State are to be disposed of,
“this wild beast is more worthy of them in your
“judgment, than those who are solicitous for send-
“ing you into fertile colonies, for procuring you easy
“establishments in your old age, and who every day
“sustain rude conflicts for you with such proud and
“insolent adversaries. And can you be surprized af-
“ter this, that so few take the defence of your in-
“terests upon themselves? What reward might they
“expect for doing so? Are they the offices which
“you chuse rather to confer upon your adversaries
“than defenders? The words you just now heard
“him say, made you give a groan. But wherefore
“those groans? Were you this moment to give your
“suffrages, you would prefer this man, who presumes
“to menace you, to those who are for procuring
“lands, dwellings, and establishments for you.”

The report of this injurious expression having spread
in the camp, it occasioned much greater indignation
there. “How!” said the soldiers, “not content
“with depriving us, contrary to his promise, of the
“spoils that were our due, does he dare to threaten
“us also?” As the complaints and murmurs rose
high, the Quæstor Sestius, to appease the sedition,
believed it necessary to employ the same violent me-
thods as had given occasion for them. He sent a
Lictor to seize a soldier who was exclaiming highly.
Immediately a great tumult ensued. The Lictor was
repulsed with violence, the Quæstor himself wounded
with a stone, and told as he withdrew by him that had
hurt him in an insulting manner, that he was only
treated as the general threatened to treat the soldiers.
Postumius himself upon this news hastened to the
army. A man of his rough and violent character,
and hated universally by the troops besides, was a
very improper person for appeasing such a commo-
tion. Instead of endeavouring to extinguish the flame
of revolt by wise moderation, he augmented it ex-
ceedingly by severe enquiries, and the cruel punish-
ments

ments which he inflicted. It has been said with much reason *, it were to be wished, that the persons who govern a state resembled the laws, which never punish with passion and rage, but solely out of justice, and for the good of the public. As he set no bounds to his fury, and the soldiers, whom he had condemned to suffer an † unheard of punishment, raised great cries, and made resistance, he descended from his tribunal, and thrust amongst the croud to prevent their escaping him. The Lictors who went before him, clearing the way with violence, the indignation, or rather fury, of the soldiers ran so high, that the Military Tribune was stoned to death by his army.

The news of so criminal a rebellion, and so tragical an event, occasioned great grief at Rome, and extremely embarrassed both parties. The question was to decree enquiries, and to punish the guilty, which would be attended with great difficulties, in effect of the opposition of the Tribunes. But first the choice of new magistrates was necessary, and the Senate prevailed, though with difficulty, that Consuls should be elected.

M. CORNELIUS COSSUS.

L. FURIUS MEDULLINUS.

A. R. 342.
Ant. C.
410.

The first thing which the Senate did at the beginning of the year, was to pass a decree, that the Tribunes should lay the affair of the enquiry into the murder of Postumius before the People, and that the People should charge whom they thought fit with that commission. That conduct of the Senate was very wise, who, in seeming to do honour to the People, endeavoured to discharge themselves of a business

* Optandum est, ut ii qui præsunt reip. legum similes sint, quæ ad puniendum non iracundia sed æquitate ducuntur. Crc. de Offic. l. i. c. 89.

† Livy calls it so in his first book, chap. 51, where he tells us, that Turnus Herdonius was thrown at his length into shallow water under an hurdle, and pressed down with stones till he was drowned. So he says here, "necari sub crate iusserat:" he had condemned them to be drowned under an hurdle,

odious

A. R. 342.
Ant. C.
410.

odious in itself, and at the same time very delicate: but they did not succeed in it. The People referred the cognizance of that affair to the two Consuls. They terminated it with all possible lenity and moderation; contenting themselves with condemning a small number of the most criminal to die, which they prevented by killing themselves. The People, however, were not satisfied, and complained that a law for punishing Plebeians was immediately put in execution, whilst one that concerned their interests was protracted during so many years.

In the present conjuncture, the distribution of the lands of Volæ seems to have been highly proper for mollifying the People, and lessening their desire of the Agrarian law, that was to divest the Patricians of the lands belonging to the Commonwealth, which they had unjustly usurped. But no mention was made of it: which gave the Plebeians occasion to complain, that the nobility not only persisted obstinately in retaining, contrary to all justice, the lands of the public which they had engrossed, but prevented the distribution of those lately taken from the enemy, which would also soon become the prey of a few rapacious and insatiable persons.

A. R. 343.
Ant. C.
409.

Q. FABIVS AMBUSTVS.
C. FURIUS PACILVS.

Liv. l. 4.
c. 52—57.

A plague, which gave more alarm than it proved destructive, suspended the intrigues of the Tribunes.

A. R. 344.
Ant. C.
408.

M. PAPIRIUS ATRATINVS.
C. NAUTIUS RUTILVS.

The famine, which followed the plague, produced the same effect.

A. R. 345.
Ant. C.
407.

MAMERCVS ÆMILIVS.
C. VALERIUS POTITVS.

Domestic feuds and wars abroad succeeded those scourges, the plague and famine. The Æqui and Volsci

Volsci had already entered the lands of the Latines and Hernici. The Tribune Mænius, who was for passing the Agrarian law, strongly opposed the levies, which the Consul Valerius desired to make : but, upon being abandoned by his colleagues, he was obliged to resist. The war was attended with success. * A fort, * Carven-
 of which the enemy had possessed themselves, was re- tum.
 taken. The Consul caused the spoils to be sold for the public treasury, and deprived the soldiers of them, because they had refused to list at first, which made him very hateful, and highly augmented Mænius's credit. The latter expected, in case Military Tribunes were chosen, to share in that nomination, so much credit had he acquired with the People. The Senate apprehended it, and caused Consuls to be created.

A. R. 345.
 Ant. C.
 407.

CN. CORNELIUS COSSUS.

L. FURIUS MEDULLINUS II.

A. R. 346.
 Ant. C.
 406.

The People suffered their not having been permitted to elect Military Tribunes with great impatience : but they consoled and avenged themselves on that account in the election of Quæstors. Of the four places, they conferred but one upon the Patricians. This was a great victory for them : not that they reckoned the office of Quæstor much in itself, which indeed was not very considerable ; but because the gaining of that advantage seemed to promise them the attainment of more exalted dignities. The Patricians, who judged in the same manner of it, were exceedingly nettled at it, foreseeing that the People would soon divide all honours with them. Their sole resource was to prevent their proceeding to the election of Military Tribunes, and to cause Consuls to be chosen, a dignity to which the People had not yet any right.

The war with the Æqui and Volsci, which broke out again, supplied both parties with matter for warm disputes. The Consuls demanded earnestly, that the levies should be made ; the Tribunes, that it should be decreed, that Military Tribunes should be chosen

at

A. R. 345.
Ant. C.
406.

at the approaching election. Whilst both sides persisted obstinately in their demands, every thing remained in suspense. Amongst the Tribunes were three named Icilius, of one of the best of the Plebeian families, but declared enemies to the Patricians, all men of inflexible constancy and resolution: these managed the whole affair. Couriers arrived with advice, that the enemy had re-taken the fortrefs mentioned before, and put the garrison to the sword. The Tribunes received this news with great coldness, and without seeming affected with it, or changing their sentiments. The Senate, who were not willing to suffer every thing to be ruined, were at length obliged to comply. They passed a decree for the election of Military Tribunes, but upon two conditions: the one, that none of the Tribunes of the People in office should be chosen; and the other, that none of the same Tribunes should be continued. These restrictions evidently regarded the Icili, whom they charged with soliciting the Military Tribuneship, as the just reward of their seditious intrigues in the Tribunals of the People. The levies were then made without difficulty. The war was successful enough, but little considerable.

A more affecting concern engrossed people's thoughts: this was the election. The principal Plebeians, encouraged by their first victory over the Senate, flattered themselves with carrying a second still more advantageous, in their beginning at length to have a share in the great offices, and they already reckoned more than one Icilius in the number of the Military Tribunes. They were deceived. The People, contrary to the general expectation, nominated none but Patricians Military Tribunes. It is not easy to comprehend such a conduct, of which there are no examples but amongst the Roman People. They are jealous to excess of their authority. When regard is had to That, they consult nothing but the public utility: and are disarmed by being complied with. The Icili accused the Patricians of having used stratagem and fraud in this election, by having engaged several Plebeians,

C. JULIUS, &c. Military Tribunes.

93

Plebeians, not only without merit, but most of them despised for the meanness of their birth and capacity, to stand for these offices amongst such as were more worthy of them; which disgusted the People, and turned the whole in favour of the Patricians.

A. R. 346.
Ant. C.
496.

C. JULIUS, &c.

A. R. 347.
Ant. C.
495.

The report of a numerous army set on foot by the Æqui and Volsci, which was to rendezvous at Antium, alarmed Rome, and occasioned the Senate to think of creating a Dictator. Two of the Military Tribunes opposed it, as injurious to them, pretending that they had sufficient capacity for conducting and terminating this war successfully: these were Julius and Cornelius. The dispute grew hot on both sides, and was carried so far, that the principal Senators, complaining excessively that the Military Tribunes refused to comply with the authority of the Senate, had recourse to the Tribunes of the People, as had been done before upon a like occasion. But the Tribunes of this year acted in a quite different manner; and though they were transported to see that dissension between the Military Tribunes and the Senate, they answered with a bitter kind of raillery, "That it was below the dignity of so powerful a Body to implore the aid of wretched Plebeians, whom the nobility scarce vouchsafed to consider in the number of their fellow-citizens. That when the honours and government of the state should become common to both orders, the People should know how to make the authority of the Senate be respected, and to act in such a manner, that no magistracy should presume to contradict its decrees." Ahala Servilius, the third of the Military Tribunes, seeing no end of the disputes, declared, "That if he had been silent so long, it was not because he was uncertain how he ought to act on the present occasion. That he knew the interests of a good citizen were never separate from those of the public: but that he could have wished his colleagues would have submitted of their own accord to the Senate's

A. R. 347.
Ant. C.
405.

nate's authority, rather than have suffered it to have recourse to that of the Tribunes of the People. That if affairs would admit, he would still most willingly give them time to reflect on their conduct and return to their duty. But as the dangers of the war were too urgent to suffer delay, he should prefer the good of the public to the desire he had of obliging his colleagues; and if the Senate persisted in their resolution, would declare a Dictator the same night. That, if any one opposed the decree of the Senate, he should proceed farther, and content himself with their * authority, though it had not all the usual forms." This discourse was received with the general applause of the Senate. He nominated P. Cornelius, one of the Military Tribunes, Dictator, who appointed him general of the horse. It is probable, that the fear lest some division should arise between generals of equal authority, as had happened some years before, induced the Senate to have recourse now to the Dictatorship.

They might easily have been without it. The war was neither long, nor attended with any bad events. The enemy were defeated in two very inconsiderable actions, and their country was ravaged. The Dictator having terminated this war with more success than glory, returned to Rome, and abdicated his office.

The Military Tribunes proclaimed the assemblies, not for creating Consuls, but Military Tribunes, which much offended the Senate. To prevent the Plebeians from being chosen, they employed a method quite different from that they had taken the year before, but with equal success. This was to cause the most illustrious of the Patricians to stand for that office. The People, out of regard for their merit and reputation, chose none but of their order: and elected four this year, who all had filled that office before.

* The opinion of the Senate, when prevented by different obstacles from being passed into a decree, was, however, registered amongst their proceedings, and called *Auctoritas*.

L. FURIUS MEDULLINUS, &c.

A. R. 348.
Ant. C.

404.

The truce for twenty years with the Veientes being expired, the Romans upon some discontent received from them, were upon the point of declaring war against them. But upon being informed by ambassadors from Veii, that divisions and troubles prevailed between the citizens of that place, at their request they thought fit to suspend the declaration of war; so far were they, observes Livy, from taking advantage of the misfortunes of others for promoting their own interests: *tantum abfuit ut ex incommodo alieno sua occasio peteretur*. A sentiment of no less humanity than greatness of soul, and quite the reverse of the usual policy of princes, who greedily seize these occasions as favourable to their designs.

The Volsci retook a city called Verrugo, and put the Roman garrison to the sword. The troops sent to its aid arrived too late through the fault of the Senate, who did not hasten them, because they received advice that the garrison made a vigorous defence; not reflecting, that no courage can surmount the bounds of human force. The slaughter of those brave soldiers was not long unrevenged.

P. & CN. CORNELLII COSSI, &c.

A. R. 349.
Ant. C.
403.

Three of the Military Tribunes marched against the Volsci, each at the head of a distinct army. Two of them ruined their country on different sides. The third, Fabius Ambustus, led his troops against Anxur, since called Terracina, which he besieged, and took by storm. The slaughter at first was very great: but ceased upon promising their lives to such as laid down their arms. Two thousand five hundred prisoners were taken. As for the rest of the booty, Fabius would not suffer it to be touched till his colleagues arrived; representing to his army, that they had contributed to the taking of Anxur, by preventing the other cities, whose territories they had ravaged, from sending

A. R. 349.
Ant. C.
403.

sending it aid. When they arrived, the three armies plundered the city together, which was very opulent. That liberality of the Generals began a reconciliation between the People and the Patricians.

But what completed it, was a decree passed very seasonably by the Senate, without being solicited either by the People or their Tribunes. The soldiery had served the State hitherto at their own expence. Every man was obliged to find himself subsistence from his own little inheritance, as well in the field, as during the winter-quarters; and often, when the campaign was of too long continuance, the lands, and especially those of the poor Plebeians, lay uncultivated. From thence arose the necessity of borrowing, interest upon interest, and at length the complaints and seditions of the People. The Senate, to prevent these disorders, decreed that for the future the soldiers, who served in the foot, should be paid by the public. Nothing ever gave the People so much joy. They ran in crowds to the Senate. They kissed the hands of the Senators as they came out of their house, and called them their fathers. They declared, that after such an instance of their goodness, there was not a single citizen, who to the last moment of his life, would not be ready to shed the last drop of his blood for so beneficent a country. The decree in itself was highly agreeable to the People, as from thenceforth, whilst particulars served the public in the field, their estates would not be charged with any expence. But what augmented their joy and gratitude, and gave a new value to this largess, was, says Livy, its not being extorted either by the complaints of the Tribunes, or solicited by the People, but its proceeding purely from the liberality of the Senate, and an entirely voluntary effect of their goodness and affection for the citizens.

How much must the Senate have been charmed to see their decree received with such warm and universal applause. And indeed can any joy be more pure, more lively.

lively, and more affecting for those who govern, if they have any sense of humanity, than to see themselves in a condition to relieve the People, to take off part of the heavy load, which the hard necessity of war has reduced them against their will to lay upon them, and to hear themselves called, what they should be by their office, the protectors and fathers of their country? A People, like those whose history we are now writing, ready to sacrifice themselves for the state (and as much may be said of the French, devoted as they are by will and affection to the service and persons of their Kings) do they not deserve to be treated with indulgence and goodness?

The bad spirit of the Tribunes of the People manifested itself upon this occasion. They were the only persons that did not share in the public joy, and made themselves remarkable for a gloomy and invidious air of discontent. They were even studious to poison the opinion of the Senate in respect to the People, by insinuating "that it was far from being so advantageous as it seemed. For, how was the fund to be established for the payment of the soldiers, except by imposing a tax upon individuals? That the Senate therefore were liberal at the expence of others. That as to the rest, though others might approve this innovation, the old soldiers would not consent to it, and would never suffer that the condition of the new soldiers should be better than their own had been, and that after having served the public at their own expence, they would be very unwilling to see themselves obliged to contribute to the pay of others by the tax that was to be imposed upon them." They drew over part of the People into their opinion; and when the new imposition was published, they declared that they would take upon themselves the crime and defence of such as should refuse to pay it.

The Senators, to support by their wise conduct what they had so well begun, set others the example, and were the first to pay in their proportion, equitably

A. R. 349.
Ant. C.
403.

stated according to the value of their estates, into the public treasury. As there was hitherto no coined silver, and all the money was of copper, which consequently must have been very heavy (this is what was called * *as grave*) some of the Senators sent in their contribution, which was very considerable, in carriages; which attracted the eyes of the public. When they saw the Patricians actually contribute, the principal Plebeians, who were most of them the friends of the nobility, piqued themselves upon imitating them; and the populace themselves, who heard them generally praised as good citizens, were for sharing that glory with them, and eager to pay in the tribute, without giving themselves any pain about what the Tribunes might think of their conduct.

Besides easing the People, the Senate, in establishing a fund for the payment of the troops, had in view the carrying wars farther, and the power of supporting them longer. Before this institution, their wars deserved rather the name of incursions, which usually terminated by a battle. This kind of party-wars did not last above twenty or thirty days, and often much less, the soldiery for want of pay, not being able to keep the field any longer. But, when the Senate saw themselves in a condition to keep a body of regular troops at all times on foot, they formed greater designs, and conceived thoughts of besieging Veii, one of the strongest cities of Italy, and which did not give place even to Rome either for the valour or riches of its inhabitants.

War having been declared against the Veientes, the new Military Tribunes took the field with an army composed chiefly of volunteers.

A. R. 350.
Ant. C.
402.

T. QUINTIUS CAPITOLINUS, &c.

The siege of Veii began this year.

* It is very probable that the term *as grave* did not begin to be used, till the coin was diminished, when it was proper to distinguish the old money from the new, which was become lighter.

C. VALE-

C. VALERIUS POTITUS, &c. Mil. Trib:

99

C. VALERIUS POTITUS.

A. R. 351.
Ant. C.
401.

Livy mentions six Military Tribunes of this year. The siege of Veii went on very slowly under them, because it was necessary to detach part of the Generals and troops against the Volsci. They gained two battles against them, took one of their cities, called Artena, and entirely demolished it with its citadel.

T H E
R O M A N H I S T O R Y

B O O K T H E S I X T H.

THE sixth Book contains the space of thirteen years, from the 352d to the 365th year from the foundation of Rome. The principal events are, the taking of Veii after a siege of ten years, the banishment of Camillus, and the taking of Rome by the Gauls.

S E C T. I.

The Military Tribunes change the siege of Veii into a blockade, and resolve to make the army winter there. Complaints of the Tribunes of the People. Appian's harangue to refute them. A loss received before Veii redoubles the valour of the Romans. Admirable generosity of the Knights, and of the People. Sensible joy of the Senate. Pay for the horse also established. Complaints of the Tribunes of the People concerning the taxes. Election of the Tribunes of the People attended with some difficulty. Trial of two Military Tribunes. They are fined. Reasons why their punishment was so slight. The Plebeians at length obtain one place amongst the Military Tribunes.

WHILST

WHILST all around them were in peace, the Romans and Veientes, animated by a spirit of hatred and revenge, made a violent war against each other, which seemed incapable of being terminated but with the entire ruin of one of the two states. The Romans elected new * Military Tribunes.

MANIUS ÆMILIUS MAMERCINUS, &c.

The Veientes, who had been governed hitherto by annual magistrates, tired with the violent intrigues that were revived every year about the election, chose themselves a King. This change displeased all the other states of Hetruria, less on account of the office than person of the King, with whom they were much dissatisfied, and who in his private capacity, had rendered himself extremely odious by his haughty behaviour. It was therefore resolved in the general assembly of the nation, that no aid should be given the Veientes as long as they should be governed by a King. Nobody dared carry this news to him who actually reigned at Veii, because it would have cost such person their life.

A. R. 352.
Ant. C.
400.
Liv. l. 5.
c. 1-7.

Veii was an opulent city, extremely populous, and very strong by situation.

The Romans, who had no hopes of taking a city by assault that was fortified with good works, determined to starve it by a blockade. They therefore threw up lines of circumvallation and contravallation, to secure themselves against the sallies of the besieged, as well as against the attacks of the enemy from the country, and to prevent them from throwing succours of troops or provisions into the place. For this purpose it was necessary to resolve to pass the whole winter in the lines, and to erect barracks against the rigour

* Livy mentions eight of them : but Sigonius and Pighius evidently prove, that there were but six, and that Camillus and Postumius Albinus were not Military Tribunes, but Censors, this year.

A. R. 352. of the season, a thing unheard of till then, and ab-
 Ant. C. solutely unknown to the Romans.
 400.

When the Tribunes of the People, who had found no occasion for stirring for some years, had received this news, they immediately repaired to the assembly, and endeavoured in concert to exasperate the People by seditious discourses. They represented to them, “ That this was the end intended by the pay granted to the soldiers. That they had not been deceived when they apprized the People, that this largess concealed a secret poison. That they had sold their liberty for it. That the youth were removed, and banished from the city and the public affairs for good and all. That without regard to the rigours of the season, they were kept during the whole winter in the open field, and not permitted to visit their houses and lands. And what reason did they believe there could be for continuing their service in this manner, if it were not to prevent the youth, in whom the whole strength of the People consisted, from doing any thing in the assemblies for their common interests. That they were much more distressed, and had much greater evils to suffer than the Veientes. That the latter, who defended their city within good walls, and its natural entirely advantageous situation, passed the winter in their houses; whereas the Roman soldiers, always employed in works and fatigues, and exposed to the frost and snow, had no houses but tents, without quitting their arms even during the winter, which in all countries suspends military expeditions by sea and land. That neither the Kings, the haughty Consuls before the institution of the Tribunitian authority, the Dictators armed with their terrible unlimited power, nor the cruel Decemvirs, had imposed so severe a yoke upon the Roman youth, as forcing them to serve during the whole year, nor exercised so tyrannical power over them, as did now the Military Tribunes. What then would they do if they were really Consuls or Dictators, as having only the image and resemblance of the Consular dignity,

ity, they lorded it with such absolute sway and rigour? But that, after all, such treatment ought not to be complained of. That of eight Military Tribunes not one was a Plebeian. That formerly the Patricians did not carry their point to fill up three of those places without great struggle and difficulty. That now eight were seen to set out in a body without a single Plebeian of their number, who, if he could do nothing else, might at least put his colleagues in mind, that the soldiers were not slaves, but freemen and citizens, that it would be no more than just to send them home to their houses during the winter; in order that in some part of the year they might see their fathers, wives, and children; use their liberty and suffrages, and have a share in the election of the magistrates."

The Tribunes, who held discourses so proper for enflaming the populace, found an adversary in the person of Appius highly capable of making head against them. He was one of the Military Tribunes this year, and the only one whom his colleagues had left at Rome to oppose the seditious attempts of the Tribunes. He now ascended the Tribunal for harangues, and spoke to the following effect.

"Romans, if ever the motive that induces your Tribunes to excite seditions continually in the Commonwealth, were dubious, that is, whether it be your interest or theirs that actuates them, I am convinced there will now no longer remain any uncertainty upon that head. They were never known to be so sensibly afflicted about any injustice which they conceived done to you, as they have been by the liberality of the Senate in respect to the soldiers, when it decreed that they should have pay for the future. What is there in that new institution, that could alarm them so much, if it were not the union of the two orders of the state, which they extremely dread as opposite to their seditious views? On the contrary, ought they not, if they had, I do not say any love for the public good, but the least sense of humanity remaining, to use their utmost endea-

A. R. 352.

Ant. C.

400.

“vours to preserve and strengthen that reciprocal union
 “and good understanding, which, if firm and per-
 “manent, would assuredly soon render the Roman
 “people more powerful than any of their neighbours.
 “I shall shew in the sequel of my discourse, how
 “much the resolution of my colleagues, not to draw
 “off the troops from before Veii, till that city is
 “taken, is not only useful but necessary: at present
 “I speak only of what regards the interest and condi-
 “tion of the foldiers. I am assured, that if I spoke
 “in the camp, and they were my hearers and judges,
 “they would universally applaud my discourse. And
 “indeed how could they take it amiss, as a new ad-
 “vantage has been granted them, that an augmen-
 “tation of their service should be required? Pains †
 “are never without regard, nor rewards commonly
 “without pains. Labour and pleasure, though very
 “different in their nature, are united with each other
 “in a kind of natural tie and society. If their coun-
 “try were to come to an account with the troops,
 “might it not say with reason; You are paid for the
 “whole year, why then don’t you serve the whole
 “year?

“It is with pain, Romans, that I use such lan-
 “guage: a language those should employ who are
 “served by mercenary soldiers. But as for us, we
 “would gladly act with you as fellow-citizens, and
 “desire that you should act with us as with your
 “country. Either we ought not to have undertaken
 “this war, or we ought to support it in a manner
 “worthy of the Roman People; and terminate it as
 “soon as possible. Now the means to terminate it,
 “is to press the besieged vigorously, and not to quit
 “the siege, till we have taken the city.

“Though we had no other motive for persevering
 “constantly in our enterprize, the unworthy manner
 “in which the Veientes have acted in respect to us,

† Nusquam nec opera sine emolumento, nec emolumentum ferme sine impensa opera est. Labor voluptasque, dissimillima natura, societate quadam inter se naturali sunt juncta. Liv.

ought of itself to induce us to it. Seven times
 they have renewed the war. They never kept their
 faith during peace. They have ravaged our coun-
 try a thousand times. They have made the Fide-
 nates revolt against us. They have butchered the
 colony we had amongst those People. It was they
 who, contrary to the law of nations, caused our
 ambassadors to be assassinated. They have endea-
 voured to arm all Hetruria against us, and still en-
 deavour to do so. They wanted little of attacking
 the ambassadors we sent to make our complaints,
 and demand satisfaction. And are we then to act
 gently with such enemies?

But other motives still more powerful ought to
 weigh with us. The considerable works that we
 have made around their city, keep the enemy shut
 up within their walls. Their lands are either not
 cultivated, or we have ruined those that were. If
 we draw off our army, who doubts, that not only
 the desire of revenge, but necessity, will oblige
 them to make incursions, and to plunder our coun-
 try, as their own affords them nothing. We do
 not then remove the war in following the counsels
 the Tribunes give you, but draw it into our own
 country.

To proceed to what regards the soldiers in parti-
 cular, for whom the same good Tribunes, after
 having been willing to deprive them of pay, are
 now all on a sudden so excessively concerned, let us
 consider what great advantages they are for procur-
 ing them. These soldiers have thrown up works,
 and ran fossés quite round the place, things of very
 great labour. They have fortified them with re-
 doubts, at first in no great number, to which others
 have since been added in proportion as the number
 of the troops increased. They have erected forts,
 not only against the city, but against Hetruria, to
 prevent the aids which might be sent from thence.
 I do not mention all the machines necessary in at-
 tacking places. After having passed through so
 many

A. R. 352.
Ant. C.
400.

“ many labours, and brought our works to perfection,
“ do you believe it proper to abandon them, in order
“ to begin them anew at the opening of the next
“ campaign? Is it not much more easy and more se-
“ cure to preserve them, and to press the siege, which
“ certainly cannot be of any great length, if we our-
“ selves do not frustrate our hopes by our delays and
“ remissness?

“ But, besides the loss of time, we incur still a
“ much greater danger. You are not ignorant that
“ the states of Hetruria hold frequent assemblies to
“ deliberate upon sending aid to Veii. The Hetru-
“ rians at present are highly incensed against the Vei-
“ entes, they hate them, they refuse to assist them,
“ and, as far as in them lies, leave us at liberty to
“ take Veii. Who can be assured, that they will al-
“ ways continue in the same mind, if the war be con-
“ tinued much longer? especially as, if we give the
“ besieged any relaxation, they will be in a condition
“ to send more frequent and more considerable embas-
“ sies into Hetruria. Besides which, the circum-
“ stance which now disgusts the Hetrurians, that is,
“ the creation of a King at Veii, may change in an
“ instant, either by the general consent of the city to
“ reconcile that People, or the voluntary abdication
“ of the King himself, who may not be willing that
“ his sovereignty should be an obstacle to the safety
“ of his country.

“ Though the continuance of the siege were not
“ essential to the success of the present war, it would
“ be of the highest importance in respect to military
“ discipline to accustom our soldiers, not only to en-
“ joy the victories they acquire, but when war is spun
“ out to any length, to wait the issue of it with con-
“ stancy to the end, without suffering themselves to
“ be overcome by the tediousness of delay; to conti-
“ nue it during the winter, if it cannot be terminated
“ sooner; and not to turn their eyes and desires to-
“ wards their houses, as soon as autumn comes on,
“ like those birds that disappear with the summer.

“ And,

“ * And, I beg you, shall the eagerness and pleasure
 “ of hunting draw men into forests, and over moun-
 “ tains through frosts and snows? and shall we not
 “ shew the same patience in war for the necessities of
 “ the state that we chuse to practise for our sport and
 “ pastime? Do we believe our soldiers so soft and ef-
 “ feminate, both in respect to their bodies and cou-
 “ rage, that they can prevail upon themselves neither
 “ to continue some time from their houses, nor to pass
 “ a winter in the camp? They would blush no doubt
 “ to hear such discourse of them; and would answer
 “ with indignation, that they are no less ready to
 “ make war in winter than summer; that they have
 “ not commissioned the Tribunes to declare themselves
 “ advocates of cowardice and effeminacy in their
 “ names; and that they have not forgot it was not in
 “ the shade and under their roofs, but in the open
 “ field, that their ancestors established the Tribunitian
 “ power.

“ These are sentiments worthy of our soldiers, wor-
 “ thy of the Roman name: not to consider only the
 “ siege of Veii, nor the war which we are actually
 “ making, but to carry their views farther, and to
 “ regard in the present juncture the establishment of
 “ their reputation for other wars and other enemies.
 “ Do you think, that what is now to pass at Veii,
 “ will not fix in the minds of the neighbouring peo-
 “ ple the idea they will believe they ought to form of
 “ you; and that it is a matter of indifference whether
 “ those people persuade themselves, that, if they sus-
 “ tain the first ardour and vivacity of the Romans,
 “ which are of no long duration, there is nothing
 “ farther to apprehend from them: or on the con-
 “ trary, that you so establish the terror of your name
 “ amongst them, that they are assured neither the te-
 “ diousness of a long attack, nor the rigours of the
 “ winter, are capable of making a Roman army quit

* Obsecro vos, venandi studium ac voluptas homines per nives ac
 pruinas in montes sylvasque rapit: belli necessitatibus eam patientiam
 non adhibebimus, quam vel lusus ac voluptas elicere solet? LIV.

“ a siege

A. R. 352.
 Ant. C.
 400.

A. R. 352. " a siege they have once undertaken ; that the Ro-
 Ant. C. " mans know no end of war but victory, and that
 400. " they value themselves as much upon their perse-
 " verance, as impetuosity, in their attacks ?
 " Can any thing more grateful happen to the Vei-
 " entes, than to see Rome first, and then the camp,
 " torn in pieces by divisions ? As for them, they do
 " not act in this manner. In the midst of the horrors
 " of war, and the inconveniences of a long siege, all
 " is quiet at Veii. The new institution of a King
 " excites neither murmur nor sedition. The refusal
 " of aid from Hetruria has made no change in their
 " disposition, and does not exasperate them against
 " the King, who alone is the cause of it. Whence
 " think you arises this great tranquillity ? It is be-
 " cause whoever should dare to excite any trouble,
 " would be immediately put to death ; and they do
 " not hold such discourses there with impunity, as
 " they do here.

" For, to your shame it must be confessed, that
 " the charms of the Tribunitian power have so blinded
 " and bewitched you, that under the name and pro-
 " tection of the Tribunes, the greatest crimes find
 " entire impunity with you. It only remains for them
 " to carry the same spirit of revolt into the camp,
 " which they are continually fomenting in your as-
 " semblies ; to corrupt the armies by their seditious
 " harangues, as they are incessantly labouring to se-
 " duce the People here ; and to teach the soldiers to
 " obey neither their generals nor officers : liberty now
 " at length being made to consist in regarding neither
 " the Senate, the magistrates, the laws and customs
 " of our ancestors, nor any of the regulations so
 " wisely established amongst us for supporting mili-
 " tary discipline in all its vigour."

Appius opposing the declamations of the Tribunes
 with a solid eloquence, founded on strength of reasons,
 was thus disputing empire with them over the minds
 of the People, when the news of a considerable loss,
 received by the Romans at Veii, (who would believe
 it?)

it?) gave him the superiority to the Tribunes, and inspired both orders of the state with new ardour for continuing the siege with more vigour than ever. The machines had been advanced very near the walls. But as the Romans were more intent on carrying on their works in the day, than guarding them in the night, the besieged, when least expected, sallied in great numbers out of the city with lighted torches in their hands, set fire to the machines which had cost infinite time and trouble, and the flames consumed them in an instant. Many soldiers, who endeavoured to prevent it in vain, lost their lives either by the sword or the fire.

When this news was brought to Rome, the whole city was much afflicted, and the Senators apprehended, that the Tribunes, imputing this loss to their counsels, might take occasion from it to insult them as well as the commonwealth, and that it would be impossible to put a stop to the sedition either in the city or in the camp. Directly the contrary happened.

The cavalry of the Roman armies had hitherto consisted only of the Roman Knights, whom the public furnished with horses. On the present occasion, the citizens, who had the income necessary for being admitted into that order, and to whom the Censors had not assigned horses kept at the public expence, after having concerted together, repaired to the Senate, where having obtained audience, they declared that they were ready to supply themselves with horses, in order to be in a condition to serve the commonwealth. The Senate received so generous an offer with great marks of gratitude, and the report of it spread immediately throughout the whole city. The Plebeians, fired with a noble jealousy, presented themselves also before the Senate in their turn, and said, that to sustain the honour of the Infantry, they were come to offer their service out of their turn, ready to march wherever it should be deemed necessary; and that if they were led to Veii, they engaged beforehand

A. R. 352. hand not to return from thence till that city was
Ant. C. taken.
400.

It was not possible for the Senate to set any bounds to the joy with which they were seized, and in a manner transported, at this instant. They did not content themselves, as they had done in respect to the Knights, with appointing one of the magistrates to return their thanks, or with causing some of the Plebeians to be brought in to hear their answer. The Senators, quitting their houses in a body, and turning towards the People who were assembled in the Forum, from the ascent where they were, expressed both by their voices and gestures all they thought and all they felt. They cried out, that by such an unanimity and concord, Rome would be happy, invincible, and eternal. They gave the horse and foot the highest praises. They considered that day as the most fortunate and most glorious of the commonwealth. They owned that the Senate was overcome in generosity. Tears of joy were seen to flow on both sides, and nothing was heard but congratulations and thanks. The Senators having been recalled into the Senate, a decree was passed, by which the Military Tribunes were directed to call an assembly of the People, to thank the horse and foot in the name of the public, and to assure them, that the Senate would ever bear in mind their good-will and zeal for their country. By the same decree it was also ordained, that those voluntary soldiers should be allowed the years of service, as if they had actually been levied in form.

L. 5. c. 12. A certain pay was also instituted for the horse, as
Lib. 6. had before been done for the foot. Livy does not men-
P. 484. tion here the amount of that pay. He says elsewhere,
that it was thrice as much as that of the foot. Ac-
cording to Polybius, the pay of the foot was two oboli
a day; (something more than three sols French, or
three half-pence English) and that of the horse six oboli,
which is thrice as much (ten sols). Provisions were
very cheap in those days. The bushel of wheat was
usually sold for no more than four oboli (six sols and
an

Id. l. 2.
P. 103.

C. SERVIL. AHALA, &c. Mil. Trib.

III

an half) and the bushel of barley for half that price. A.R. 352.
A bushel of wheat would subsist a soldier eight days. Ant. C.
This is the first time that the cavalry furnished themselves with horses. 400.

The new army of voluntiers being arrived at Veii, did not only re-instate the works which had been ruined, but added new ones to them. More care than ever was taken to send provisions in abundance from the city to the camp, in order that so courageous and well-disposed an army might want for nothing.

Military Tribunes were elected for the following year.

C. SERVILIUS AHALA, III. &c.

A.R. 353.
Ant. C.

399.

The Volsci make themselves masters of Anxur by treachery, where the Romans had a garrison.

The discord between the two generals who commanded before Veii, occasioned a defeat there. The * Fidenates and Falisci, two people of Hetruria, apprehending that the Roman armies would fall upon them after the taking of Veii, to which they were near neighbours, united their forces, and attacked the Roman lines at the part where Manius Sergius, one of the Military Tribunes, commanded. The report which spread, that all Hetruria was advancing to the aid of Veii, terrified the troops of Sergius, and at the same time encouraged the besieged to make a vigorous sally. The only resource was for the troops of the great camp, which was not very remote, to come and sustain Sergius. Virginus, who commanded there, was his declared enemy. He was informed of the attack and danger; but he kept in his camp, saying, that if his colleague stood in need of his service, he would let him know it. Sergius, imagining it dishonourable to demand aid of a man with whom he was entirely at variance, chose rather to suffer himself to be defeated by the enemy, than to be obliged to his colleague for victory. His troops, after having suf-

* Livy says the Capenates; the Fidenates were Sabines.

ferred

A. R. 353.
Ant. C.
399.

ferred exceedingly, abandoned their lines. Some retired into the great camp: but the greatest part of them, with Sergius at their head, marched directly to Rome.

As he laid the whole blame upon his colleague, Virginius was sent for, and the command given to their lieutenants during their absence. The affair was examined in the Senate. The two Military Tribunes were less intent upon defending themselves, than accusing each other, and they did not spare reproaches and insults on either side. The Senate scarce acted more reasonably. Very few of them, in the enquiry into this affair, judged with a view to equity and the good of the public: friendship and favour determined the suffrages of the majority. The elder and principal Senators perceiving this disposition, referred to a farther time a fuller examination whether so shameful a defeat had happened through the fault of the generals, or the common enough misfortune of war. They believed it necessary to proceed directly to the remedy, and not to wait the time fixed for the election, but to nominate new Military Tribunes immediately, who should enter upon office on the calends of October, that is to say, the first day of that month. This opinion was generally approved, without being complained of by the other Military Tribunes. Sergius and Virginius, who had given occasion for it, were the only persons who opposed the decree of the Senate. They protested, that they would not quit their office before the ides of December, which was the usual day for the election of new magistrates.

During these disputes, the Tribunes of the People, intent upon all occasions for adding weight to their authority, rose up with warmth, and in an haughty imperious tone menaced the Military Tribunes to commit them to prison if they did not obey the orders of the Senate. Servilius Ahala, one of the Military Tribunes, addressing himself upon that to the Tribunes of the People, "If it were a proper time," said he to them, "I would shew you how little right you have to make us such menaces, and how little we fear
— them

L. VALERIUS POTITUS, &c. Mil. Trib.

113

them. But the question is now, to cause the decree of the Senate to be put in execution. Therefore as to you, Tribunes of the People, do you cease to take an advantage of our disputes for exciting broils and extending your power. And as to our two colleagues, they shall either comply willingly with what the Senate ordains, or if they persist in refusing to obey, I shall immediately declare a Dictator, who will know how to oblige them to quit their office." This discourse was applauded by the whole assembly, the Senators being exceedingly pleased, that a more certain and consistent method was found out for overcoming the obstinacy of the refractory, than having recourse to the threats of the Tribunes. And accordingly they submitted to the unanimous authority of the Senate, and new Military Tribunes were elected to enter upon office on the calends of October.

A. R. 353.
Ant. C.
399.

L. VALERIUS POTITUS IV.

M. FURIUS CAMILLUS II. &c.

A. R. 354.
Ant. C.
398.

There were abundance of affairs and wars during the administration of these Military Tribunes. Their first care was to make the levies, in which they included not only the youth, who were not yet of the age prescribed by the laws, but even the old men, both of whom they obliged to take arms for the guard of the city. The more the number of the soldiers was augmented, the more money was necessary for their pay; and that money was raised upon the citizens, who remained at Rome. These impositions, from which the old men, who had been listed, were not exempt, because they did not quit the city, excited complaints amongst the People; and the more, because the Tribunes were incessantly animating them by seditious harangues, and representing to them, that the Patricians seemed solely intent upon depressing the citizens; part of them by the sad necessity of bearing arms, and the rest, by impositions, which

A. R. 354.
Ant. C.
398.

they were not able to support. That they no longer made any difference between winter and summer. That wars were expressly multiplied, for occasions to distress the People. That only one of them had already continued during five years; and that the Generals industriously succeeded amiss, in order to protract it the longer. That in respect to the old men, who had brought back nothing from the wars but bodies weakened and worn out by fatigues, wounds, and years, and who at their return had found their lands almost uncultivated through the long absence of their owners, they had the cruelty to exact from them, notwithstanding the bad condition of their affairs, taxes and contributions, and to oblige them to return the commonwealth double the pay they had received from it, and that too with interest." It is easy to judge how capable such discourses were of irritating a People already too much inclined of themselves to complain and murmur. It was in this, as we have seen hitherto, that the great employment and ability of these Plebeian magistrates consisted, which often formed their whole merit.

During these troubles, the time for electing new Tribunes of the People arrived. Their number could not be filled up. The Patricians used some endeavours to get themselves adopted by those who had been chosen, and to fill up the vacant places. Not being able to obtain That, they found means to cause two Plebeians devoted to them to be adopted, being well pleased to infringe the law Trebonia, which on a like conjuncture, as has been observed in its place, ordained, that the People for the future should elect their Tribunes, and elect all of them together.

Amongst those who had been chosen was one Trebonius, who believed it his duty to his name and family, to take upon him the defence of a law, instituted by one of his ancestors. He therefore complained to the People against his own colleagues, to whose weakness and indolence he ascribed the violation of that law. Three of them, who apprehended the

People's

People's resentment, in order to make a diversion and conciliate their favour, cited Sergius and Virginus, who had been Military Tribunes the year before, to make their trial before them. They said, "that to such, as suffered the levies, taxes, and prolongation of the war with pain, who lamented the deaths of their children, brothers, kinsmen, and friends, that perished miserably that fatal day at Veii, they offered a fair occasion to avenge themselves, and the public, upon the heads of two persons equally criminal and responsible for all the misfortunes which had happened. That their own confession, the evidence of their colleagues, and the decree of the Senate who had obliged them to abdicate their office, were proofs to which there could be nothing to reply. That they might remember that fatal day, when they saw the dead remains of the soldiers defeated at Veii, return to Rome still trembling with their fears, and covered with wounds, accusing neither fortune, nor any of the Gods, but their generals, as the sole authors of their defeat. That they were assured, there was not a single person in the assembly, who did not at that time pronounce a thousand curses against the persons, fortunes, and lives of Virginus and Sergius. That after having devoted them in that manner to the anger of the Gods, it would ill become the People not to exert their power against them, when they both could and ought. That the Gods did not punish criminals themselves, but were contented with arming in some manner the hands of those they had injured, in supplying them with the occasion of avenging themselves." The people, irritated by these discourses, condemned the two criminals in a fine.

This was a very slight punishment for a prevarication, or rather a treason, so criminal and evident. For they could not deny, the one, that he would not have recourse to his colleague, when he saw himself in extreme danger; and the other, that when he was informed of his colleague's danger, that he would not move to his aid. So criminal a disposition, which di-

A. R. 354.
Ant. C.
398.

rectly attacks the state, which for a private pique makes persons forget all that they owe their country, and which reckons the deaths of a considerable number of brave soldiers as nothing, seems to have required, that an exemplary and most distinguished punishment should have been made of it, to prevent the sad effects of this kind of jealousy and dissension, too common amongst Generals who serve together.

But it was one of the maxims of the Roman policy, not to treat Generals who had been unsuccessful in war with excessive severity. The Roman people, generally speaking, were very moderate in the punishment of criminals. Livy makes this remark, where he speaks of the execution of Mettius Fuffetius, who was drawn asunder by four horses; and he says * That was the first and last example of a punishment amongst the Romans, in which the laws of humanity seem to have been forgot; but that in other instances, no people could boast of having been satisfied with lighter inflictions upon its citizens guilty of crimes. They were usually punished by gentle fines or banishment; and during a long series of years we see very few of them condemned to die. The Romans in respect to their Generals had a particular reason for acting with great lenity. Besides that the faults of a person charged with the command, fell indirectly upon the people who had elected him, they knew the multiplicity of cares, pains, and disquiets, that attend the command of an army; and they would not add new ones to them, in leaving the General the fear of seeing himself condemned to a shameful punishment, if he had the misfortune to succeed ill in a campaign; nor disgust those to whom they confided the command of their armies, by such an example. Every body knows in what manner Varro was received after the loss of the battle of Cannæ.

* Primum ultimumque illud supplicium apud Romanos exemplum parum memoris legum humanarum fuit. In alijs gloriari licet nulli gentium mitiores placuisse pœnas. LIV. 1. c. 28.

P. LICINIUS CALVUS, &c. Mil. Trib.

117

In the wars which were made this year on different sides, no considerable events happened. The Tribunes of the People were very busy at this time, in proposing the Agrarian law, and in opposing the payment of taxations, though absolutely necessary for the subsistence of the armies. A considerable victory, which they gained in the election of Military Tribunes, amongst whom a Plebeian was at length chosen, induced them to desist from their pursuits, and to suffer the taxes to be raised.

A. R. 354.
Ant. C.
398.

P. LICINIUS CALVUS, &c.

A. R. 355.
Ant. C.

The Plebeian admitted amongst the Military Tribunes was so called. Livy says, that he was an ancient Senator. It does not appear hitherto, (1) that any Plebeian had fate in the Senate, and that historian nowhere mentions that there had. It is therefore very probable, that some error may have here crept into the text. Perizonius, a learned and judicious writer of dissertations, tells us, that the Military Tribunes of this year were all Plebeians except one; and Livy himself supplies him with the proof of it, in nominating Tribunes of the People of all the families here in question. The reader will dispense with my entering into discussions of this kind.

397.
Liv. 5.
12—14.

Periz. An.
Hist. c. 8.

The next election were all Plebeians, except one.

(1) Some writers say, that the considerable Plebeians had been admitted into the Senate from the 263d Year of Rome.

S E C T. II.

Institution of the Lectisternium for making the plague cease. A sudden increase of the waters of the Alban Lake gives occasion for sending to Delphi. Answer of that oracle. Licinius refuses the office of Military Tribune, and causes the election to fall upon his son. Camillus is declared Dictator. He re-instates affairs at Veii. When he is upon the point of taking that city, he consults the Senate about the spoils. The city is taken by the means of a mine. Fine saying of Camillus. Extraordinary joy of Rome. Triumph of Camillus. The tenth of the spoils consecrated to Apollo. The People demand to remove to Veii. New difficulty concerning the extent to be given the vow of the tenth. The Roman Ladies divest themselves of their jewels to supply the quantity of gold necessary for the present to Apollo. They are advantageously rewarded.

A. R. 356.
Ant. C.
396.

M. VETURIUS, &c.

A Great plague that broke out this year at Rome, occasioned the institution of a new religious ceremony, called Lectisternium. That word is derived from *lectos sternere*, to prepare beds. The custom at Rome, in times of great danger, or great success, was to decree solemn feasts to the Gods, in order to implore their aid, or to render them public thanks for the protection received from them. Officers called Triumviri, and in process of time, when their number was augmented to seven, Septemviri Epulones, much considered at Rome, presided in these feasts. According to the custom of those times, they prepared in the temples round the tables, beds covered with magnificent carpets, cushions, and seats. The statues of the Gods and Goddeses, invited to the feast served upon the table, were placed on them, and they were deemed to be present at and partake of it.

it *. Valerius Maximus informs us, that they vouchsafed to conform to human customs, and that in this ceremony Jupiter lay at length upon a bed, and Juno and Minerva fate on seats. A. R. 356.
Ant. C.
396.

In this manner this feast was celebrated on the present occasion in the name of the public, which is the first time the Lectisternium is mentioned. Private persons did the same during the eight days of the solemnity, and mutually entertained each other at their tables. The whole city kept open house, and tables were spread, and feasts celebrated, at which every thing was in common, and every body known and unknown equally welcome. Quarrels and proceedings at law were suspended, and prisoners had their chains taken off during the whole time of the feast. It was afterwards made a scruple of conscience to put on the chains again of those whom the Gods had delivered from them. It is remarkable that the Pagans themselves did not believe their festivals duly celebrated, if they retained hatred and enmity in their hearts.

Whilst this ceremony was celebrated at Rome, the Capenates and Falisci suddenly attacked the lines before Veii, as they had done some years before; but with very different success. The still recent condemnation of Sergius and Virginius produced its effect. Troops were immediately dispatched from the great camp to defend the lines. The enemy were repulsed with considerable loss, as well as the besieged, who had made a sally, and were vigorously pursued even into the city.

The Comitia for the election of magistrates approached, and gave the Senators no less disquiet than the siege of Veii. They saw with grief, that in the last election the first dignity of the state had not only been communicated to the People, but almost entirely taken away from the nobility. They considered, or

* *Fœmina cum viris cubantibus sedentes cœnitabant: quæ consuetudo ex hominum convictu ad divina penetravit. Nam Jovis epulo, ipse in lectulum, Juno & Minerva in sellas, ad cœnam invitantur.*
VAL. MAX. l. 1. c. 2.

A. R. 356.
Ant. C.
396.

were for having others consider, the plague and the other evils that had afflicted Rome, as marks of the anger of the Gods against the Romans on account of that innovation in the offices, wherein no regard had been had to the noble families, who alone had the direction of the auspices, and sacred things. Now the right of auspices being attached to the supreme magistracy, they strongly represented religion as concerned in the injury done the nobility. To avoid this inconvenience in the approaching election, they engaged all the most considerable Patricians to offer themselves as candidates. This double method took effect. The People, out of respect for those great persons, and through * the scruples of conscience that had been inculcated into them in respect to religion, of which they were very susceptible, nominated none but Patricians, all of great reputation and peculiar merit.

A. R. 357.
Ant. C.
395.

L. VALERIUS POTITUS V.

M. FURIUS CAMILLUS III. &c.

Nothing however of importance passed this year. Only the lands of the Falisci and Capenates were ravaged, in which nothing was spared that fire and sword could destroy.

Liv. 5.
15---18.
Plut. in
Camil. p.
130---131.

Amongst many other prodigies, the sudden increase of the Alban Lake, that happened without any previous rains, or any apparent natural cause (for the Physics were then little known) drew the attention of the Romans; and the more, because the extreme drought of the summer had dried up all the springs, and almost all the rivers of the country. Deputies were sent to Delphi, to know the meaning of the Gods by this prodigy. But the explanation of it was believed to have been had nearer home. As it is usual, in long sieges, for the besiegers and besieged to talk with each other from their posts, it happened that a Roman had made an acquaintance, and fre-

* Ut sunt mobiles ad superstitionem percussæ semel mentes. Tacit. Annal. l. 28.

quently discoursed with an old man of Veii, who passed for one of great skill in divination, and if common report may be believed, explained the prodigy about which people were in pain to him. Having found means to induce him to come out of the city, he seized hold of him, and as he was the strongest carried him off, and with the help of some of his comrades, brought him before the general, who, after he had heard him, sent him under a guard to Rome. When he was introduced into the Senate, and interrogated concerning the increase of the Alban Lake, he answered, That the Gods must have been very angry with the Veientes on the day, when they put it into his thoughts to discover that to a Roman, which was to occasion the ruin of his country; but that they were masters, and that it was not in his power to act contrary to their will: That it was written then in the book of Fate, that when the water of the Alban Lake should be increased, if the Romans let it out in the proper * manner, which he told them, they should gain the victory over the Veientes; and that till then the Gods would not abandon Veii. Though this pretended prophecy made a strong impression upon the Romans, they desired a better authority; and thought it necessary to wait the return of the deputies from Delphi. In the mean time new Military Tribunes were elected.

A. R. 357.
Ant. C.
395.

L. JULIUS JULUS, &c.

A. R. 358.
Ant. C.
394.

The inhabitants of Tarquinii, to take advantage of the favourable conjuncture, when the Romans were employed abroad in different wars, and at home in domestic divisions, sent out great parties to ravage their country. They were repulsed with vigour, and obliged to retire with great loss.

The siege of Veii gave great disquiet, and there was no hopes of putting an end to it, but by the pe-

* Cicero relates it, where he makes this Soothsayer say, that if the water of the Lake, when let out, reached the sea, it would be unfortunate for the Romans; but if not, it would be a good omen for them. Lib. 1. de Divin. n. 100.

A. R. 358.
Ant. C.
394.

cular favour of the Gods. The return of the deputies revived those hopes. They brought back an answer conformable to that of the Hetrurian Soothsayer, which besides informed them, that it was necessary to re-instate certain ceremonies of religion, which had been omitted and neglected. This advice was conceived to regard the last election of Military Tribunes, wherein there had been some defect, and the Festivals called *Feriae Latinae*.

The Military Tribunes having abdicated their office, a new election came on. The Plebeian P. Licinius Calvus, of whom we have spoke above, was at first unanimously chosen. He was the first of the Plebeian order, who had been elected Military Tribune. He had shewn great moderation in the exercise of that office; but was very old at that time. The people seemed also upon the point of re-electing several of those, who had before been Military Tribunes with him. Licinius, before the report of his election was made, demanded to speak to the People, as was usual, and expressed himself to the following effect: "I perceive, Romans, that your remembrance of the union between my colleagues and myself in our first administration, an union more necessary than ever in the present conjuncture, disposes you to re-elect several of us, whom experience has made still more capable of commanding, into the same office. As for myself, I am no longer the same man. You behold in me only the shadow and name of Licinius. The strength of my body has entirely left me, I can scarce see or hear, my memory fails me, and the vigour of my mind is worn out. Suffer me to present my son to you, [he held him by the hand] the living image of him you honoured first of all the Plebeians with the office of Military Tribune. Brought up in my sight and principles, I give, I devote, him to the Commonwealth in my stead. I shall be highly obliged, Romans, if you grant the honour you give me of your own accord, and without solicitation, to the demand of my son,

" and

"and the request which I add in his favour." No difficulty was made to grant his desire, and his son was unanimously elected Military Tribune.

P. LICINIUS, &c.

A. R. 359.
Ant. C.

Every thing the Gods seemed to require of the Romans had been exactly performed. The *Feriae Latinae* had been celebrated with the ceremonies prescribed. The water of the Alban Lake had been drawn off by canals, and turned upon the lands. The tenth year of the siege of Veii was now arrived; and every thing seemed to denounce the approach of victory to the Romans.

393.
Liv. 5.
18. 23.
Plut. in
Camil.
131---133.

A sad event, however, which might have disconcerted that enterprize for ever, happened the beginning of this year. Two of the Military Tribunes, Titinius and Genucius, who commanded against the Capenates and Falisci, acting in that war with more ardour and bravery than conduct, gave headlong into an ambuscade. That rashness cost Genucius dear, who was killed fighting valiantly at the head of his troops. Titinius retired to an eminence, where he drew up the soldiers who had recovered themselves a little from their terror. He would not hazard a battle, however; and the disgrace was greater than the loss. But fame, which delights in exaggerating, especially misfortunes, occasioned an incredible alarm at Rome, and in the camp before Veii. A report spread there amongst the troops, that the Roman army had been cut in pieces, with both their Generals, and that the Capenates and Falisci, encouraged by their victory, were on full march with their chosen youth to attack the lines. The panic was so great in the army, that it was just upon the point of disbanding universally, and many did actually fly from the camp.

The consternation occasioned still greater trouble and confusion at Rome. It was believed there, that the camp before Veii had already been attacked, and that part of the enemy were upon full march to Rome. People ran to the walls; guards were posted at the gates

A. R. 359.
Ant. C.
393.

gates of the city; and the temples were full of wo-
men, who with floods of tears implored the mercy of
the Gods, and that they would cause the evils which
which Rome was threatened to fall on Veii.

In this * sad conjuncture the Romans placed a Ge-
neral at the head of their armies, destined, says Livy
by the fates to take Veii, and to save his country.
Camillus was created Dictator, and appointed L. Co-
nelius Scipio Master of the Horse. The change of
the General immediately changed the face of affairs.
Hope, courage, and even good fortune, seem'd in a
moment to revive. We see here what one man can
do. It had already been observed, that in all the em-
ployments wherein Camillus had colleagues, his great
valour, and exalted abilities had induced them to re-
sign the whole honour of the command to him, as if
he had been commander in chief; and it was after-
wards remarked, that during his Dictatorships he go-
vern'd with so much mildness and moderation, that
the officers subordinate to him believed they shared
his authority.

His first care was to repair to the lines before Veii,
where he began by punishing those who had aban-
doned the camp in the sudden consternation, of which
I have spoke, with all the rigour of discipline; and
thereby taught the troops to be more afraid of the just
severity of their General, than of the enemy's forces,
how formidable soever they might be. On his return
to Rome, he made the levies, none refusing to give in
their names. The people, in emulation of each other,
ran to list under his command. The youth of the
Latines and Hernici came to offer the Dictator their
service, which he accepted, and thanked them for in
full Senate. Every thing was now ready for taking
the field. Camillus vowed to the Gods, that if they
gave an happy end to this war, he would celebrate

* Igitur fatalis dux ad excidium illius urbis, servandæque patriæ
M. Furius Camillus Dictator dictus. — Omnia repente mutaverat
imperator mutatus. Alia spes, alius animus hominum, fortuna quo-
que alia urbis videri. Liv. 5. 19.

the great games (those of the Circus) and rebuild the temple of the Goddesses called by the Romans Mater + Matuta.

After having made these vows, he marched against the Falisci and Capenates, and gave them battle. Every thing passed on his side with prudence and reason; and the success, as is usual, was answerable. He not only defeated the enemy, but took their camp, where he found considerable spoils, of which he reserved the greatest part for the public treasury, and gave the rest to the soldiers.

From thence he led his army to Veii, which he began to inclose within narrower bounds. He re-instated discipline in the camp, which had been observed with little regularity, and put an end to accidental and loose skirmishes between the walls of the city and the lines, by forbidding the troops to fight without orders. He employed them in useful and necessary works, and caused a great number of towers to be added to the intrenchments, which they had not before.

The most important work of all, and that which cost most pains, was a mine. Camillus, seeing that there would be abundance of danger and difficulty in carrying the walls of the city by force, undertook to open himself a way under ground, the earth being of a very proper sort for digging, and capable of being cut at a sufficient depth for concealing the work from the enemy. To forward it, and at the same time to ease the workmen, he divided them into six bands, each of which worked six hours, and was then relieved by another. The work was carried on night and day without interruption till it happily extended to the citadel.

The Dictator, when he saw the richest city of Italy upon the point of falling into his hands, in which more considerable spoils would be taken, than had been gained in all the preceding wars of Rome together; to avoid either drawing the anger of the soldiery

† The same as Ino sister of Semele, aunt of Bacchus, and wife of Athamas.

A. R. 359.
Ant. C.
393.

upon him for dividing them with too sparing a hand, or dissatisfying the Senators by distributing them with too much profusion, he wrote to the Senate to inform it, "That by the favour of the immortal Gods, his cares, and the patience of the soldiers, Veii would soon be in the hands of the Roman people. That therefore he desired they would direct him as to the use it was proper to make of the spoils." The Senate were of two opinions. The one was that of Licinius the father, who being first asked by his son, replied, that he thought it most adviseable, "to give notice in the name of the Commonwealth for all such as were willing to share in the spoils to repair to the camp at Veii." The other was the opinion of Appius Claudius. "He thought, that to abandon the spoils in that manner to all that had hands to take them, besides its being new, was attended with great inconveniences; that they would be plundered with profusion by chance and without choice, and with great inequality. That if it was not judged proper, that the money taken from the enemy should be brought into the public treasury, exhausted as it was by so many wars, he was of opinion, that it ought to be appropriated to the payment of the soldiers, which would be a relief to the People, and ease them of part of the taxes. That * thereby every house would be equally sensible of the fruits of this largess, and the rapacious hands of idle citizens would not deprive the soldiers of the rewards so justly due to their labours; it being usually observed, that the bravest, and most forward in battle, were the least active and expert at plundering."

To this Licinius replied: "That if that money were brought into the public treasury, it would supply the People with eternal matter of complaint, murmur, and sedition. That it was better therefore to

* Ejus enim doni societatem sensuras æqualiter omnium domus non avidas in direptiones manus otiosorum urbanorum prærepturas fortium bellatorum præmia esse: cum ita ferme eveniat ut segnior sit prædator, ut quisque laboris periculique præcipuam petere partem soleat. LIV.

regain their favour by a largess, which, exhausted as they were by the contributions of so many years, would be a present relief to them. That it was but just, that all the citizens should partake of spoils acquired by a war, in which they had in a manner grown old. That what each of them should carry to his own house, and take with his own hand from the enemy, would be far more agreeable than double or treble the value from another's. That the Dictator, in referring the affair to the Senate, had no other view than to spare himself envy and reproach. That the Senate on their side, ought in like manner to refer the whole to the disposal of the People, in permitting them to go and take the plunder, as chance should throw it in their way."

A. R. 359
Ant. C.
393-

The latter advice, which was the most popular for the Senate, seemed the best. Declaration was accordingly made, that such as were desirous to share in the plunder of Veii, had only to repair to the camp. How great the multitude of those that went thither was, it is easy to judge.

The Dictator then quitting his pavilion, after having taken the auspices, and ordered the soldiers to arm :

" O Pythian Apollo, said he, under your guidance, and by your orders, I advance to ruin the city of Veii : I consecrate by vow the tenth part of the spoils to you. And you, Queen Juno, who now inhabit Veii, I implore that you will vouchsafe to follow * us the victors to our city, which will soon be yours, and where you shall be received in a temple worthy of your majesty."

After having finished these prayers, as his army was very numerous, he gave a general assault, and attacked

* The Pagans believed, that the tutelary Gods of a city left it, when it was upon the point of being taken by the enemies. " *Excessere omnes adytis arisque relictis Dii, quibus imperium hoc steterat.*" VIRGIL. *Æneid.* l. 2. speaking of Troy. The Tyrians, when besieged by Alexander, imagined that Apollo was for leaving them, and going over to the camp of that Prince. They therefore chained his statue with a chain of gold to the altar of Hercules, to prevent the flight of that God. DIOD. Sic. l. 17. p. 720.

A. R. 359.
Ant. C.
393.

the place on all sides, in order to draw the besieged to the walls, and prevent them from knowing the real danger they had to fear. The Veientes, who did not know that their last hour was come, were eager to run in emulation of each other to the walls, not being able to guess why the Romans, of whom none had appeared out of the lines for many days, advanced on a sudden, like mad-men, to attack the place on all sides.

A fabulous relation is inserted here, that the King of the Veientes was at this instant sacrificing to the Gods: that his diviner having inspected the entrails of the victim, cried out, that the Gods would give the victory to him who should make oblation of that sacrifice. That the Romans, who were still under ground, upon hearing those words, immediately cut open the mine, and coming out of it with great cries and a dreadful noise of arms, so terrified the Veientes, that they put them to flight, and seized the entrails of the victims, which they carried to Camillus. * “ But, says Livy, “ in things of such antient date, I think it sufficient “ to take what is probable for true. Incidents of this “ kind, which are fitter for the stage, that delights in “ the marvellous, than for history, it is not worth while “ either to affirm or refute.”

I have repeated this passage of Livy expressly to shew, that he is not so credulous as some persons imagine. He lays down a very rational principle here, and puts us upon our guard against the propensity men have for the marvellous, that source of so many errors in history.

The chosen troops having successfully entered the citadel in the temple of Juno by the mine, dispersed themselves from thence into the city. Some attacked the soldiers behind who defended the walls: others pulled down the barriers and unbarred the gates in

* Inferitur huic loco fabula.—Sed in rebus tam antiquis, si, quæ similia veri sunt, pro veris accipiantur, satis habeam. Hæc ad ostentationem scenæ gaudentis miraculis aptiora, quam ad fidem, neque affirmare, neque refellere, operæ pretium est. LIV. l. 5. c. 21.

order to let in their companions: and many set fire to the houses to prevent the women and slaves from throwing down tiles upon them from the roofs. The Romans entered in throngs either through the gates or by the walls, which they scaled without resistance, the enemy having abandoned them. The whole city resounded with shrieks and lamentable cries. Nothing was seen every where but blood and slaughter: till Camillus caused proclamation to be made by a herald, that those should be spared who laid down their arms. When the prisoners were disarmed and sent off, the signal was given to the soldiers to plunder the city.

Whilst they were employed in that manner, the Dictator, who from the greatness of the spoils conceived better than before the opulence of the city he had just taken, and the importance of his conquest, * lifted up his hands to heaven, and implored the Gods, " If his own and the good fortune of the Roman People appeared too great in their sight, and that it was necessary to qualify it by some disgrace, that they would be pleased to make it fall upon him, and to spare the Commonwealth." After this prayer, adds Livy, Camillus turning round to the right, according to the custom of the Romans upon the like occasion, fell down upon the ground, which fall was afterwards thought a presage of his banishment, and of the taking of Rome by the Gauls. It is easy to adapt events after they happen to such omens.

The day after the taking of Veii, the prisoners were sold by auction, and the sums raised from them set apart for the public treasury. The People were much offended at Camillus on that account: and as to the plunder which they carried home, they believed themselves neither obliged for it to the Dictator, who, in referring an affair to the Senate that depended only upon himself, had sufficiently argued his ill-will; nor

* Dicitur manus ad cœlum tollens precatus esse, " Ut si cui deorum hominumque, nimia sua fortuna populique Romani videretur, eam invidiam lenire suo privato incommodo, quam [id est, potius quam] minimo publico populi Romani liceret." Liv.

A. R. 359.
Ant. C.
393.

to the Senate, which of itself had not appeared too well disposed in respect to them; but solely to the family of the Licinii, who had strongly espoused their interest.

After all the profane riches had been removed from Veii, Camillus thought of accomplishing the vow which he had made of transporting the statue of Juno to Rome. For that purpose he chose out the handsomest young Persons of the whole army. After having purified themselves well, and put on white robes, they approached the statue with the utmost respect and veneration, not daring to lay their hands upon it without a religious tremor, because, according to the custom of the Heturians, only a priest of a certain family was permitted to touch her. To throw the marvelous into this fact, some add, that upon the Goddess's being asked by one of these young persons, "Whether she would be pleased to go to Rome?" she answered by a nod, or as others say, by words, "that she would." Certain it is, that she was carried to mount Aventine, where a magnificent temple was erected for her, which was afterwards dedicated by Camillus.

Such was the fate of Veii, the most opulent city of all Heturia, the greatness of which the ruin itself proves, as it could not be reduced till after a siege of ten years, during which it made the Romans suffer greater calamities than it endured itself, and as it was not taken by open force and assault, but surprize and stratagem.

When the news that Veii was taken came to Rome, notwithstanding the answers of the diviners, the oracle of Delphi, the exactitude with which all the duties of religion had been performed, the choice of the most able general of his times, in a word, though every thing, one would have thought, should have prepared People for that event; the length and difficulties of the siege, with the disgraces of the other generals who had carried it on before Camillus, made that news occasion incredible joy at Rome, as if entirely unlooked for,

for, and contrary to the general expectation. The concourse of the Roman ladies in all the temples, whither they repaired in throngs to return the Gods thanks, prevented the decree of the Senate, which ordained solemn supplications and thanksgivings for a greater number of days than had ever been done before, that is to say, for four days together.

The Dictator's triumph was most magnificent, and all the orders of the state made it a duty to do him honour in emulation of each other. Himself was willing to exalt the pomp by causing his chariot to be drawn by four white horses. It must be observed here, that the same colour was ascribed to the horses of the Sun and of Jupiter. † Every body took offence at this circumstance; and people judged, that the Dictator thereby exalted himself, not only above the condition of a citizen of a free state, but even above human nature. They imagined, that religion was violated, by the usurpation of an honour which appertained to the immortal Gods; and from thence alone, his triumph was more splendid than grateful in the eyes of the Romans.

What happens here in regard to Camillus, in other respects so full of wisdom and moderation, shews us, that there is a subtle poison in prosperity and popular applause, that imperceptibly glides into the heart, and causes in it a secret swelling, a false pride, against which the greatest and even the wisest of men find it difficult to defend themselves. On the other side, the People's general disgust of a thing that might appear inconsiderable enough, argues how high the Romans carried their respect for the Divinity.

Camillus, after having taken all the necessary measures for building the temple of Juno, and dedicated that of the Goddess Matuta, abdicated the Dictatorship.

† Parum id non civile modò, sed humanum etiam visum. Jovis solisque equis æquiparari Dictatorem, in religionem etiam trahebant: triumphusque ob eam unam maximè rem clarior quam gratior fuit: Liv. l. 5. c. 23.

A. R. 359.
Ant. C.
393.

The Senate afterwards deliberated upon the vow Camillus had made, to consecrate the tenth part of the spoils to Apollo. The accomplishment of this vow, which the Pontiffs declared indispensable, was not easily effected. For how was it possible to make the People bring in all the spoils, in order to extracting from them the part due to the God? After long consultation, they fixed upon the means that seemed the most easy and natural; and was so in effect. This was by a public decree to inform all those who were willing to clear their consciences, and assure the safety of themselves and families, to make a fair and just estimate of the plunder they had got, and to bring in the tenth part of it to the public treasury, in order to its being formed into a present of massy gold, worthy of the majesty of the God, the temple, for which it was intended, and of the grandeur of the Roman People. This necessity of contributing at their own expence to the gift designed for Apollo, still added to the People's disgust for Camillus. For, when interest is affected, respect for the Gods grow less warm and lively.

Peace was granted the Volsci and Æqui, less because they deserved it, than not to engage the People in a new war after that they had so lately undergone, and from which they were scarce well returned.

A. R. 360.
Ant. C.

P. CORNELIUS COSSUS, &c.

392.
Liv. l. 4.
c. 24, 25.
Plut. in
Camill.
P. 133.

The ravages committed in the country of the Capenates, obliged them to demand peace, which they obtained. The war against the Falisci is continued.

In order to appease the sedition, which began to appear at Rome, the Senate consented to send a colony into the country of the Volsci, which was to consist of three thousand citizens, to each of whom three acres of land were allotted. The citizens refused to go thither, and were for settling at Veii, instead of being banished into a remote country. They went so far as to demand that Rome and Veii should for the future constitute only one and the same city and Commonwealth,

in transporting half the People and Senate to the latter: a demand which will be urged hereafter with much greater warmth, and will soon excite great tumults at Rome. It found very strong opposition now from the Patricians, who protested that they would sooner die than ever suffer such a law to be proposed in the assembly of the People.

Camillus cried out, in almost every assembly, that it was not surprizing to see the People abandoned to a kind of madness and phrenzy. That it was a visible punishment for their neglect to accomplish the vow made to Apollo. That without mentioning the Tenth of the spoils, his conscience would not suffer him to be silent upon another article, that regarded the whole people; which was, that in the Tenth of Veii itself they included only the moveable effects, whereas the city and adjacent territory ought to be included in it, and were a part of the vow. The difficulty appeared very serious to the Senate. They submitted it to the consideration and judgment of the Pontiffs, who were all of the same opinion with Camillus. An estimate was made in consequence of the city of Veii, and the lands in its dependance. The amount of that estimate was taken out of the public treasury, and the Military Tribunes were directed to purchase gold with it, to be employed in the present intended for Apollo of Delphi. As gold was very scarce in those times, the Roman ladies distinguished themselves on this occasion by a very laudable generosity. In an assembly of them, they unanimously resolved to carry in all their gold and jewels to the public treasury, and went to declare that resolution to the Military Tribunes. Nothing ever gave the Senate greater pleasure. And indeed, it was an instance of great courage, considering how much attached the ladies generally are to their jewels. They sacrificed them however freely, not only to their country, but what highly exalts the merit of the act, to religion. The Senate, to reward them, granted them several privileges: as to go to the sacrifices and games

A.R. 360.
Ant. C.
392.
Pilentis
matres in
mollibus.
VIRG.

in chariots covered and suspended, called *Pilenta*; to be carried in the streets on festival days and at other times, in the open chariots, called *Carpenta*; and to be praised publicly after death, an honour granted before only to men*. The gold which they sent to the treasury was weighed, in order to their having the value returned them, and a great golden cup was made of it to be sent to Delphi. The Roman history has already supplied us, and will farther supply us, with many examples of the zeal of the ladies for their country, and of the attention of the Senate to reward all actions that bore the stamp of love for the public good. Nothing contributed so much to bind all parts of the state firmly together, and to attach them to the common interest.

I cannot conclude here, without observing how far the Romans, and Camillus in particular, carried their delicacy in respect of vows. They knew that a vow is an engagement taken with the Divinity himself, and a solemn promise that we make to him, from which we are not to depart in any thing for the future; and that if it be a crime to break our word with men, it is impiety and sacrilege to do so in respect to God.

When the duties of religion were discharged at Rome, the Tribunes of the People began again to stir, and to urge their proposal of removing part of all Orders of the state to Veii. As the People saw, that nothing could be terminated before the end of the year, they nominated the same Tribunes who had first set the affair on foot for the year following. The Patricians did the same on their side, and continued almost all the same Military Tribunes.

* Plutarch makes that gold amount to eight talents, an almost incredible sum for those times. Eight talents of silver are eight thousand crowns: eight talents of gold, ten times as much, that is to say, fourscore thousand crowns [about 12000 l. sterling] only in jewels.

S E C T. III.

Expedition of Camillus against the Falisci. Treachery of a schoolmaster, who delivers up his pupils: Generosity of Camillus, who sends them back to their parents. The Falisci surrender themselves to the Romans. The deputies sent with a gold cup to Delphi, are taken by pirates. Generous conduct of Timasitheus their chief. Two Tribunes of the People condemned in a fine. Camillus strongly opposes the transmigration of the People to Veii. The Senate prevail upon the People by entreaties to reject the proposed law for removing to Veii. Death of one of the Censors. Voice heard by Cædicius concerning the Gauls. Camillus, accused unjustly by a Tribune of the People, prevents his condemnation, and retires into banishment to Ardea.

M. FURIUS CAMILLUS, &c.

A. R. 361.
Ant. C.

AS soon as the Romans saw themselves masters of Veii, they conceived thoughts of avenging themselves upon the Falisci, who had harrassed them very much during the siege. Camillus was sent against them this year, and after having defeated them in the field *, he took their camp, and caused all the spoils of it to be sold for the benefit of the public treasury. His soldiers were much incensed against him on that account: but obliged to submit by his severity of discipline, they both hated and admired the virtue of their general. It remained to form the siege of the city, which was very strong, and perhaps in a condition to defend itself as long as Veii, if the good fortune of the commonwealth, and the virtue of Camillus, well known before in military affairs, but which shewed itself in a new form upon this occasion, had not hastened the victory.

391.
Liv. l. 5.
c. 26—28.
Plut. in
Camill. p.
133, 134.

* Castra capta, præda ad Quæstores redacta, cum magna militum ira: sed severitate imperii victi, eandem virtutem & oderant, & mirantur. Liv. l. 5. c. 26.

A. R. 361.
Ant. C.
391.

All the young persons of the most illustrious houses of Falerii were under the care of one master. This man, in time of peace, usually carried them into the country without the walls to exercise themselves in sports suitable to their age. He had not discontinued this custom during the war, preparing the way for a treason for which he expected a considerable reward; and sometimes he carried them nearer, sometimes farther, in order to have it in his power to execute his design without suspicion. At length, finding the occasion favourable, he carried all the youth confided to his care to Camillus, accompanying so criminal an action with no less criminal discourse. He told that great man, in delivering up the children, whose fathers had the principal authority in Falerii, was in effect putting that city into his hands. But Camillus, looking at him with a menacing air: “ * Traitor,” said he, “ you do not address yourself with your impious present either to a general or a people that resemble you. - We have indeed no express and formal alliance with the Falisci, but that which nature has established between all men, both does and shall subsist between us. War has its rights, as well as peace; and we have learned to make it with no less justice than valour. We are in arms, not against an age which is spared even in cities taken by assault, but against men, armed like ourselves; men, who without any previous injury from us, attacked the Roman camp at Veii. Thou, to the utmost of thy power, hast exceeded them by a new and different kind of crime: but for me, I shall conquer, as at Veii, by Roman arts, by valour, works, and perseverance.” The traitor was not dismissed for this

* Non ad similem, inquit, tui nec populum, nec imperatorem, sceleratus ipse cum scelesto munere venisti. Nobis cum Faliscis, quæ pacto fit humano, societas non est: quam ingeneravit natura, utrique est, eritque. Sunt & belli, sicut pacis, jura: justæque ea non minus quam fortiter didicimus gerere. Arma habemus, non adversum eam ætatem, cui etiam captis urbibus parcitur; sed adversus armatos, & ipsos, qui nec læsi, nec laceßiti à nobis, castra Romana ad Veios oppugnârunt. Eos tu, quantum in te fuit, novo scelere vicisti: ego Romanis artibus, virtute, opere, armis, sicut Veios, vincam. Liv. l. 5. c. 27.

repri-

reprimand only. Camillus caused him to be stripped, and to have his hands tied behind him; and arming his young scholars with rods, he ordered them to drive him back into the city, and to scourge him all the way; which no doubt they did with a good will.

At this sight the Falisci, who had been inconsolable for the loss of their children, raised cries of joy. They were charmed to such a degree with so uncommon an example of justice and virtue, that in an instant they intirely changed disposition in respect to the Romans; and instead of being possessed as before with a blind fury against them, so as almost to prefer perishing like Veii, to accommodating with them like the Capenates; they unanimously resolved that moment to have a peace with such generous enemies, at any price whatsoever. Accordingly they sent Deputies first to the camp, and afterwards to Rome: where when they had audience of the Senate, they addressed themselves to it in these terms*. “Illustrious Fathers, conquered by you and your General, in a manner that can give no offence either to Gods or men, we are come to surrender ourselves to you: and we assure ourselves, than which nothing can be more glorious for victors, that we shall live happier under your government, than under our own laws. The event of this war has brought forth two excellent examples for mankind. You, Fathers, have preferred justice in war to immediate conquest: and we, excited by that justice which we admire, voluntarily present you the victory. We are now entirely yours. Send persons to us to receive our arms, hostages and city, of which the gates are open to you. You will have no reason to be

* Patres conscripti, victoria, cui nec deus nec homo quisquam invidet, victi à vobis & imperatore vestro; dedimus nos vobis: rati, quo nihil victori pulchrius est, melius nos sub imperio vestro, quam legibus nostris, victuros. Eventu hujus belli duo salutaria exempla prodita humano generi sunt. Vos fidem in bello, quam presentem victoriam, maluistis: nos fide provocati, victoriam ultro detulimus. Sub ditione vestra sumus. Mittite, qui arma, qui obsides, qui urbem patentibus portis accipiant. Nec vos fidei nostræ, nec nos imperii vestri poenitebit. Ibid.

A.R. 361. "dissatisfied with our fidelity, and we assure ourselves
Ant. C. "we shall have none to regret your power."
391.

And indeed, as the Deputies of the Falisci say in this place, no praise can be so grateful, and so glorious for a state or a prince, as that the conquered People enjoy more tranquillity, and are more happy under them, than they were whilst they lived free and independent under their own laws. And this was actually the case with the states that submitted to the Romans. The farther we advance in their history, the more we shall discover, that their reputation for faith to engagements, equity, humanity, and clemency, contributed more than any thing besides to aggrandize the Roman empire.

Such was the success of the war against the Falisci, which acquired Camillus the thanks both of the enemy and his own country. A certain sum of money was exacted from the Falisci for the payment of the Roman troops for the current year, and to exempt the People from taxes. After which the army returned to Rome.

We see in the famous event, which we have just related, the power of virtue, and what impression it is capable of making upon the mind of man when solid and sincere. Nobody can read this fact without feeling himself warmly affected with indignation for the perfidious master who gives up his scholars, and admiration for Camillus who sends them back to their parents. Sentiments of this kind are not free, and do not depend upon the will: they are implanted in the heart, they are a part of it, and born with us. We must therefore renounce nature, and suppress its voice, to believe, or to say, that virtue and vice are only names, without force and reality.

Camillus, revered and admired for his justice and integrity, re-entered Rome with a glory far more solid, than that of his superb and pompous triumph, wherein he seemed to aim at equalling himself to the Gods he adored.

L. FLACCUS, S. CAMERINIUS, Consuls.

139

Immediately after his return, the Senate dispatched a ship of war with three Deputies, to carry the gold vase to Delphi. They were taken on their voyage by pirates of the island of Lipara, and carried thither. Their custom was to divide all the prizes they took amongst the inhabitants. Their principal magistrate this year was one Timasitheus, a man, says Livy, who resembled the Romans more in his manners, than his countrymen.

A. R. 361.
Ant. C.
391.

This man, full of respect as well for the God for whom the cup was intended, as for those who sent it him, and the motive which had induced them to make that offering, inspired the whole multitude, who generally form their opinions by those of their Leader, with the same sentiments of religion. After having entertained the Deputies magnificently, he determined to convoy them himself, and accordingly went with them to Delphi, and afterwards reconducted them to Rome. He was received in an highly honourable manner: The rite of hospitality was conferred upon him by a decree of the Senate, and great presents were made him.

One of the Military Tribunes gained at this time a considerable advantage over the Æqui. The citizens still meditated the passing of the law for the transmigration of part of the People to Veii. To succeed in it, they continued those Tribunes in office who promoted it, whilst the Patricians, with their utmost efforts, could not continue those who opposed the demand of their colleagues. The Senate, to be revenged, passed a decree for the election of Consuls, of which none had been chosen for fifteen years.

L. LUCRETIVS FLACCUS.

A. R. 362.
Ant. C.
390.

SERVIUS SULPICIUS CAMERINUS.

Two of the Tribunes of the People, who had been the two preceding years in office, were cited to take their trials before the People. Nothing could be laid to their charge, except opposing the law proposed by their

Liv. l. 5.
c. 29—32.

A. R. 362.
Ant. C.
398.

their colleagues. The Senate took abundance of pains to prevent them from sinking under the affair. Their endeavours were ineffectual, and the late Tribunes were condemned in a fine.

Camillus, highly incensed at so crying an injustice, reproached the People warmly upon the occasion, and declared that if the excessive licentiousness of the Tribunes could not be checked by the opposition of some of their colleagues, the Senate well knew how to find another method for restraining it. But his zeal appeared most in the Senate, where he was incessantly haranguing with the utmost warmth against the law which occasioned so much trouble. He told the Senators, "That upon the day when the law was to be proposed, they ought all to repair to the Forum as to a field of battle, where they were to fight for the temples and altars of the Gods, their firesides, and the place which had given them birth. That as to himself, if it were allowable for him to regard only his own interests, nothing could be more honourable for him than to see a city, which he had taken, peopled with a great number of inhabitants, where the monuments of his glory would continually present themselves to his eyes, where he could not make a single step without treading upon the traces of his victory; and of which, in a word, the sight alone would continually renew his triumph. But that he believed it not consistent with religion, and impious to conceive thoughts of inhabiting a place which its own Gods had abandoned, and that a free and victorious people should go to settle in a conquered city. He added, that it seemed impossible to him, that two such powerful cities should continue long at peace, live under the same laws, and however form but one Commonwealth. That the two cities would insensibly form themselves into two different states, which after having made war against each other, would in the end become the prey of their common enemies.

These warm exhortations of Camillus had all the effect he could desire. The day when the People were

L. VAL. POTIT. M. MANLIUS, Consuls.

141

to give their suffrages concerning the law, all the Senators, young and old, repaired in a body to the Forum, and dispersing themselves into their tribes, they addressed themselves to their fellow-citizens of the same tribes, pressing their hands, and conjuring them with tears in their eyes, "not to abandon a country for which themselves and their fathers had fought with so much valour and success." Then pointing to the Capitol, the temple of Vesta, and those of the other Gods near it, "they implored them not to tear the Roman people from their native home, and household Gods, to banish them into a strange and enemy city, and not to give reason for wishing that Veii had never been taken, that it might not have exposed Rome to so shameful a desertion." As the Patricians employed only remonstrances, prayers, and tears, seconded with motives of religion, to which the People are very sensible, they suffered themselves to be overcome by that agreeable violence, whereas an air of command and authority would only have exasperated them. Of the tribes, there was a majority of one for rejecting the law.

This victory gave the Senators such exceeding joy, that the next day a decree appeared, which granted seven acres of land not only to each father of a family, but also to every male infant in his house; so that every father might reckon, that each of his sons should possess seven acres in the territory of Veii. The intent of this decree was to induce the Romans to marry, and to enable them to bring up children, for the service of the Commonwealth. It is remarkable that the Senate never loses sight of this great principle of policy, to augment as much as possible the number of the People, wherein the principal strength of a state consists.

L. VALERIUS POTITUS.

M. MANLIUS.

These Consuls caused the great games vowed by Camillus during the war with Veii to be celebrated.

The

A. R. 362.
Ant. C.
390.

A. R. 363.
Ant. C.
389.

A. R. 363. The temple of Juno vowed at the same time was also
 Ant. C. dedicated now.
 389.

C. Julius, one of the two Censors, died this year, and M. Cornelius was elected to succeed him. As the city of Rome was taken during this Lustrum, the idea of unfortune was affixed to this substitution of a Censor in the room of one deceased; and it was decreed, that for the future, when a Censor died in his office, another should not be substituted in his stead, and that his colleague should abdicate.

A. R. 364.
 Ant. C.
 388.

L. LUCRETIUS, &c.

Two of the Military Tribunes were charged with the war against the Volsci, and two more with that against the Salpinates. Those two people the year before, taking advantage of the plague, which raged at Rome, had ravaged part of the country bordering upon them. They were defeated and punished.

Liv. 5. 32.
 Plut. in
 Camil.
 134, 135.

The same year, Cædicius, a Plebeian, informed the Military Tribunes, that late the night before, as he was walking in the street called Via Nova, he heard a voice louder than that of a man, which ordered him to go and inform the magistrates, that the Gauls were coming. As Cædicius was a man of no note, and the Gauls besides a nation very distant, and for that reason little known, no stress was laid upon this account, And indeed did it deserve much?

The Romans committed a much more real fault in respect to Camillus, whose signal services they rewarded with inexcusable ingratitude. Himself indeed had given some room for it; and the same perhaps may be applied to him, as Livy says of one of the first Fabii, That * great men more frequently want the art of governing their own people, than that of subduing the enemy. He opposed the multitude on all occasions, and without any reserve. He always appeared the most active and ardent in opposing

* Adeo excellentibus ingeniis citius defuerit ars quâ civem regant, quam quâ hostem superent. LIV. 2. 43.

all their caprices. The People, who soon forget past services, when those that did them oppose their inclinations, were thereby prepared to give a favourable hearing to the discourse of a seditious Tribune, who accused Camillus of having converted part of the spoils of Veii to his own use. The accusation was not only without foundation, but probability. That great man, who was besides highly afflicted for the loss of his son, a youth, lately dead, assembled his friends, and the principal persons of his tribe at his own house, in order to sound whether he had any thing to hope from their credit. Having consulted together, they all answered, that how passionate soever they might be for his service, they could be of no use to him with his judges, but that they would pay the fine for him. Seeing therefore that he had no justice to expect from a multitude blinded with hate, and that he should certainly be condemned, as he was in effect, he did not stay to have sentence passed, but went into banishment to Ardea. Before he quitted the city, turning his eyes toward the Capitol, he prayed to the Gods, "that if he were innocent, they would make his ungrateful country regret his absence as soon as possible." This prayer of Camillus, so different from that which he makes to the Gods at the taking of Veii, agrees ill with his zeal for his country, and is a stain in his life. Aristides, Plut. in Aristid. P. 322. condemned like him to banishment, shewed more greatness of soul in praying the Gods, "that no misfortune might befall the Athenians, which might give them cause to remember Aristides, and to stand in need of his services." He took refuge at Ardea, a city not far from Rome, where he was informed that he had been condemned in a fine.

For the rest, this kind of condemnations of the most illustrious citizens, usual enough at Rome, which extended no farther than a fine, had a sufficient resemblance to the ostracism of Athens *. The source

* Cum Ephesii civitate expellerent Hermodorum, ita locuti sunt: Nemo de nobis unus excellat. Sed, si quis extiterit, alio in loco & " apud

A. R. 364.
Ant. C.
288.

of both the one and the other, at Rome and Athens, was the fear lest such citizens becoming too powerful, should invade the liberty of the public: a fear, which rendered all exalted merit, if not odious, at least suspected, and induced them to take excessive precautions to prevent its effects, and remove their often ill-founded alarms. Cicero, who condemns this injurious delicacy, acknowledges it the effect of the republican genius and character. "We are not willing," said the Ephesians in banishing Hermodorus one of their principal citizens, the same who interpreted the Greek laws for the Roman deputies, "We are not willing that any person's merit amongst us, should be so peculiarly eminent as to set him above all the rest. But if any such person should arise, our will is, that he carry his merit into another country, and to another people."

"apud alios sit." An hoc non ita sit in omni populo? Nonne omnem exuperantiam virtutis oderunt? Quid! Aristides, (malo enim Græcorum, quam nostra, proferre) nonne ob eam causam expulsum est patria, quod præter modum justus esset? Cic. Tusc. Quest. l. 3. n. 109.

SECT.

S E C T. IV.

The city of Clusium besieged by the Gauls, implores aid of the Romans, who send ambassadors to the besiegers. Those ambassadors joining the people of Clusium in a sally, the Gauls raise the siege, and march for Rome. The Romans, who take the field against them, are seized with a panic, and entirely defeated near Allia. The Gauls advance to Rome. A small body of troops retire into the Capitol with part of the Senate. The Vestals and Priests charge themselves with the care of the sacred things. Courage of the old men who remain in the city. Piety of Albinus in respect to the Vestals who take refuge at Cære. The ancient Senators, in their robes of state, place themselves each at his door. The Gauls find Rome almost wholly abandoned. Massacre of the ancient Senators. The Gauls set the city on fire. They are repulsed in attacking the Capitol. Camillus defeats a considerable detachment of the Gauls near Ardea: Defeat of the Tuscans. Pious and bold action of Fabius Dorso. Camillus is declared Dictator by the Senate. The Geese save the Capitol. The Romans reduced to extremities capitulate. Camillus arrives that instant and defeats the Gauls. They are entirely cut to pieces in a second battle. Camillus enters Rome in triumph. Reflections upon the taking of that city. The inhabitants of Cære rewarded. Temple erected to *Aius Locutius*. Honours rendered to the Geese.

WE have seen that Camillus was rewarded for the services he had done his country, as many other great men have been; that is to say, with ingratitude. Soon after his departure, ambassadors arrived from the inhabitants of Clusium a city of Tuscany, which was then actually besieged by the Gauls lately arrived in the country, under the command of Brennus, to implore the aid of the Romans against those strangers, whose numbers, stature, and arms had spread terror on all sides.

VOL. II.

L

Gaul,

A. R. 364.
Ant. C.
388.
Liv. l. 5.
33—36.
Plut. in
Camill.
135—136.
Diod. Sic.
14, 321.

A. R. 364.
Ant. C.
388.

Gaul, firnamed Comata, was anciently divided into three parts, Aquitania, Celtic and Belgic Gaul. The Gauls, of whom we are now speaking, were of Celtic Gaul. They were not the first who came to settle in Italy. In the reign of Tarquinius Priscus, about the 165th year of Rome, Ambigatus reigned over Celtic Gaul. That prince, finding those great provinces overpeopled, put Sigovesus and Bellovesus, two of his nephews, at the head of a great body of youth, whom he obliged to go in quest of settlements in foreign countries; whether that were a common practice in those times, as it was afterwards in the North down to the tenth century; or that Ambigatus had recourse to this expedient of military colonies, to rid himself of an ardent, restless, turbulent youth. However that were, the Leaders decided by lots the regions into which these swarms were to go to settle. Chance sent Segovesus over the Rhine, who taking his way thro' the * Hercinian forest, opened himself a passage by force of arms, and seized Bohemia and the adjacent provinces. Bellovesus turned towards Italy, and passed the Alps. He carried with him part of the inhabitants of Bourges, Auvergne, the Senonois, Autun, Chartres, and some other countries, which formed a very numerous people. He settled in Insubria, where he built Milan. At the same time, another body of the Gauls, composed principally of the inhabitants of Mans (Cenomani) assisted by Belovesus, fixed in the same country, where they built Brescia, Verona and some other cities. The same people afterwards made many irruptions into the parts adjacent to the lands their countrymen had possessed themselves of long before. At length the Gauls of whom we are speaking attracted into the country by the same views as their ancestors, were conducted thither by

* The Hercinian forest covered a great part of the antient Germany. It began at the bank of the Rhine, and in Suabia, where it is called at this day the Black Forest, and extended beyond Bohemia.

† The learned M. Scipio Massei corrects the text of Livy in this place, and for Brixia ac Verona, reads Brixia ac Cremona.

inhabitant of Clusium called Aruns, in revenge of an injury which he had received from his fellow-citizens.

It is said that the charms of the wine, which Aruns carried to them, a liquor they did not know before, contributed not a little to induce them to pass the Alps, and undertake this march. To reward their guide, they formed the siege of Clusium.

The inhabitants fearing to fall into the hands of the Barbarians, implored, as we have said before, the aid of the Romans, though they had no other motives for hoping it, but their not having armed in the late war in favour of the Veientes, as most of the other states of Hetruria had done. The Romans did not think it proper to send troops immediately to the aid of the Clusini. They contented themselves with de-puting three young Patricians to the Gauls: these were the sons of M. Fabius Ambustus. "Those deputies were instructed to desire the Gauls, in the name of the Senate and People of Rome, not to attack the Clusini, who had done them no wrong; and to add, That they should be obliged to take arms for their defence, if that were necessary: but that the method of remonstrances had appeared preferable to them, and that they should be very glad to live at peace with the Gauls."

The demand was reasonable and moderate, if it had been carried by any but men of a violent and haughty disposition. After the affair had been proposed in the assembly of the principal persons of the nation, Brennus, who was their King, or chief, replied: "That the name of the Romans was little known to them; that, however, they believed them brave and courageous people, as the Clusini had recourse to them in their danger: that as they had chose rather to employ the methods of pacification than their arms in defence of their allies, they on their side should not reject the offered peace, provided the Clusini, who possessed more lands than they could cultivate, would agree to give up part of them to the Gauls, who were in want of it: that without that con-

A. R. 364.
Ant. C.
388.

dition, there was no peace to be hoped. That they should be glad to receive their answer in the presence of the Roman deputies. That in case of refusal, they would give battle in the presence of the same Romans, in order that they might be capable of letting Rome know, how much the Gauls excelled all other mortals in valour." The ambassadors upon that asking with an haughty air and tone, "What way of proceeding it was, to demand land of its possessors, and if not granted, to threaten them with war; and what right the Gauls had to Tuscany?" "The same," answered they fiercely, "that you had to those of so many states as you are said to have dispossessed of their lands. We carry our right upon the point of our swords. All things belong to the valiant."

The Fabii, enraged at so haughty an answer, dissimbled their resentment; and, under pretence of desiring, in quality of mediators, to confer with the magistrates of Clusium, they demanded to enter the place. They were no sooner in the city, than instead of acting in the character of ambassadors, and discharging the function of ministers of peace, those Romans, who were too young for an employment which requires extreme prudence, abandoning themselves to their valour, and the impetuosity of their years, exhorted the inhabitants to make a vigorous defence. To set them an example of it, they put themselves at their head in a fally, the Fates, says Livy, urging on the destruction of Rome; and Q. Fabius, who was at the head of the embassy, advancing on horseback at the head of the army, killed with his lance one of the generals of the Gauls remarkable for his stature and appearance, and was universally known by the enemy, whilst he was stripping the person he had just killed of his spoils.

The report immediately spread throughout the whole army. The retreat was immediately sounded. The siege of Clusium was raised, and the Gauls thought only of avenging themselves upon the Romans. Many were for marching directly to Rome. But the advice

Jam ur-
gentibus
urbem Ro-
mam Fa-
tis.

The THREE FABII, &c. Mil. Trib.

149

of the elder persons prevailed, and it was much the wisest. They were of opinion, that it was proper to begin by sending deputies to Rome, to complain of what had happened; and to demand, that the Fabii should be delivered into their hands, for having violated the law of nations. After the deputies had made their complaints, and added their demand, the Senate was much perplexed how to act. They did not approve the action of the Fabii, and deemed the demand of the Barbarians just; but a vicious complaisance for young persons of their high birth, prevented the Senators from resolving as they well perceived there was a necessity for them to do. To extricate themselves out of this difficulty, and to avoid being answerable for the consequences, with which a war with the Gauls might be attended, they referred the affair to the decision of the People. Far from satisfying the Gauls, by punishing the ambassadors as they deserved, the People carried their imprudence and folly to that excess, as to reward them by nominating them Military Tribunes for the following year, as if expressly to insult the Barbarians. The deputies, full of indignation, as one may well judge, and breathing nothing but war and revenge, returned to the army. Q. Sulpicius Longus, Q. Servilius, IV. Serv. Cornelius Maluginensis, were elected colleagues to the Fabii.

A. R. 364.
Ant. C.
388.

The Three FABII, &c.

On the approach of so great a danger, as that which actually menaced the commonwealth, Rome, which in the wars against the Fidenates, Veientes, and other states in the neighbourhood, had often had recourse to the last and most vigorous of measures, in appointing a Dictator; in the present conjuncture, when an unknown and terrible enemy was advancing to attack it, that city, as if seized with a lethargy, used no extraordinary methods for its safety *: so much, says Livy,

A. R. 365.
Ant. C.
387.
Liv. l. 5.
C. 37—49.
Plut. in
Camill.
137—144.
Diod. l. 14.
p. 322—
324.

* Adeo occæcat animos fortuna, ubi vim suam ingruentem restringi non vult. Liv.

A. R. 365. does Fortune blind men, when she is unwilling that
 Ant. C. they should avert her impending purposes.
 387.

When the Gauls were informed that the violators of the law of nations, instead of the punishment they deserved, had been raised to the first dignities of the state, they were seized with rage: for patience was not the character of that nation, and immediately began their march. Their number, their appearance, their prodigious strength, and the fury that appeared in their aspects, spread terror and dismay in all the places through which they passed. They however committed no acts of hostility, and did no violence. They only cried out aloud wherever they came, "That they were going to Rome, that their designs were solely against the Romans, and that they were friends to all other people."

The news of the impetuous march of the Barbarians, which rumour, and the couriers dispatched by the Clusini, and by other states, had soon carried to Rome, occasioned great alarm and consternation. Troops were levied in haste, and without choice, to the number of forty thousand men. They advanced to the distance of four leagues from the city to meet the enemy, whom they found at the river of Allia, near the place where it empties itself into the Tiber. The army of the Gauls, which consisted of seventy thousand men, covered the whole country: The hideous cries, or rather howling, which they raised according to their custom, made the mountains at distance resound, and occasioned horror and confusion.

The Military Tribunes took no care either to make choice of an advantageous post for their camp, or to fortify it with fosses or palisades, in order to secure their retreat in case of misfortune; and were as remiss in respect to consulting the Gods by the auspices, and rendering them favourable by sacrifices; essential ceremonies with a people full of superstition, that derived their courage and confidence from propitious omens, imparted to them by the augurs. Full of rash boldness, they drew up their army in battle, the left sustained

sustained by the river, and the right by a mountain at no great distance. They gave little depth and much front to their troops, to avoid being surrounded by the enemy, who were far more numerous than the Romans. But in extending their wings in that manner, they exceedingly weakened their main body. Upon their right was a small eminence, where they posted their reserved troops. Brennus, general of the Gauls, apprehended That to be a stratagem, and that their design of it was, as soon as the battle began, to make that body of troops descend from the hill, and attack his army in flank and rear. He thought it necessary therefore to begin by charging that body of reserve, convinced that if he could drive them out of that post, superior as he was in number, he should soon defeat the enemy in the open field: for nothing escaped his attention, and he acted in all things like a great captain. On the contrary, in the other army, neither the generals nor soldiers shewed any thing of the Roman character. They were seized on a sudden with terror, and without attempting to fight, fled precipitately. The left wing, instead of making towards Rome, took the route of Veii, though they could not arrive there without passing the Tiber. Only the body of reserve made some resistance in effect of the advantage of their post: but it soon gave way as well as the rest. The slaughter was not made in the battle but the flight, because those who fled retarded each other. Most of the slain perished on the banks of the Tiber, whither the whole left wing retired, after having thrown down their arms. Many who did not know how to swim, or could not under the weight of their arms, were swallowed up in the waves. The rest escaped to Veii, from whence they did not so much as think of sending a courier to Rome, to carry the sad news of their defeat, so far were they from being in a condition to give it aid. Part of their right wing arrived at Rome, and spread the report that the whole army had been cut to pieces, and so it was universally believed. This day was afterwards called The Battle

A.R. 365.
Ant. C.
387.

of Allia, and placed in the number of those unfortunate days upon which no considerable affair was undertaken.

After so compleat a victory, if the Gauls had pursued the Romans vigorously, nothing could have prevented Rome from being intirely destroyed, and all those within it from being put to the sword. But stupefied, and in a manner drunk, with the joy of so sudden and unexpected a success, they lost three days in collecting the spoils which they found in the Roman camp, and in making merry. That delay saved Rome. The citizens who remained there, resembled those who had fled so abjectly at the battle of Allia in nothing, and took all the prudent measures possible in such a state of perplexity and confusion. Seeing that there was no hopes of saving Rome with such an handful of soldiers, they resolved that the old men should remain in the city, and that the flower of the Senate and People should enter the citadel and Capitol, with all the gold and silver in the city, arms and provisions, in order to be in a condition to defend the Gods, men, and the Roman name, from the top of that fortress. They charged the priest of Quirinus and the Vestals with the care of carrying off the sacred things, and placing them in safety*, being desirous that the worship of the Gods should not be discontinued, whilst any remained to perform it. They said, "That if the citadel and Capitol, the august abode of the Gods, the Senate that formed the public council of the state, and the youth of age to bear arms, survived the ruin that menaced the city, the loss of the old men, an useless number that remained in the place only to die there, did not deserve to be much regretted." And in order that this resolution might give the less pain to the inferior people, the old men, venerable for their age, the Consulships through which they had passed, and the triumphs with which they had been

* Nec ante deferri cultum Deorum, quam non superessent qui colerent. LIV.

honoured,

honoured, declared, " That they would die with the other citizens of no use to the Commonwealth ; and, as they were incapable of bearing arms, and defending their country, that they would not consume in vain the provisions of those, whom their years and strength enabled to sustain it." In this manner did the old men who were determined to die encourage and console themselves.

They afterwards addressed their discourse to the body of young people whom they followed to the Capitol and citadel, recommending to their strength and bravery the fate of a city, which for three hundred and sixty years had been victorious in all the wars she had undertaken. It was the most affecting of sights, to behold, on one side, those who carried with them the whole hope and resource of their country, and on the other, those who were resolved not to survive its ruin, take their leaves of each other for ever, with a tenderness, and at the same time an elevation of courage, that no words can describe. The mournful cries of the women were heard on all sides, who not knowing to whom they should address themselves, to their husbands or children, sometimes followed the one and sometimes the other, asking them with words interrupted with groans and sobs, to what fate they were going to abandon them. The rest of the populace whom the citadel could not contain within so narrow a compass, and still less feed in so great a dearth of provisions, quitted the city in throngs, and took their way towards Janiculum. From thence they dispersed themselves, some about the country and others into the neighbouring cities, without leaders to conduct or advise them, each following his own particular views, or abandoning himself to chance, without its being possible for them to form measures and resolutions in concert.

In the mean time the priest of Quirinus and the Vestals, solely intent upon taking care of the sacred things confided to their custody, consulted together upon

A. R. 365.
Ant. C.
387.

upon what it was proper to carry away, what leave be hind, and in what place such precious deposits might be most secure. What could not be carried away, was put into two great casks, and buried under the chapel of Quirinus. The Vestals divided the rest amongst them, and took the way of Janiculum by the wooden bridge.

Amongst those who fled there was a Plebeian called Lucius Albinus, who was driving off his wife, children, and most necessary moveables in a waggon. As soon as he saw the Vestals, carrying the sacred things in their arms with great difficulty on foot, whilst himself and his family were at ease, he could not suffer that contrast, which seemed irreligious to him, and made his wife and children get down, threw out his goods, placed those virgins in his carriage, and drove them to Cære, the place to which they intended to go: so much reverence did Rome in so general a calamity retain for religion, and so well did she know how to support the preference due to divine things in respect of every thing whatsoever merely human.

Whilst all this passed, and after the citadel had been as well supplied with every thing necessary for a good defence as the present conjuncture would admit, the old men, that is to say, some Pontiffs, and ancient Senators honoured either with triumphs or Consulships, not being willing to survive either their country or past glory, preferred the death that waited them there to an uncertain and shameful retreat. But in order to retain to their last breath the marks of a dignity upon the point of expiring with them, they dressed themselves in their robes of purple and habits of state, and took their seats in their ivory chairs, each in the porch of his house. Some authors say, that they devoted themselves for their country in the same manner and form as the Decii did afterwards.

Brennus arrived at Rome three days after his victory. Surprized to find the gates of the city open, the walls without defences, and all things as quiet as

The THREE FABII. &c. Mil. Trib.

155

A. R. 365.

Ant. C.

387.

In profound peace, he suspected some stratagem. At length the continuance of that calm re-assured him. As two days had passed since the battle, which had not been very warm, and the Gauls did not take Rome by force, they entered it without the ardour and fierceness, which generally attend the taking of cities by storm, and advanced through the gate Collina to the Forum, casting their eyes on all sides towards the temples of the Gods, and the citadel, which alone had some appearance of war. Having posted some troops to keep guard there against any sallies, that might be made from the citadel or Capitol whilst they were employed in plundering, they dispersed themselves into the different quarters of the city, finding the streets every where empty and abandoned.

After some excursions, they returned to the Forum. All the houses of the common people were shut, only some of a greater appearance than the rest were open. The Gauls entered them, and found the old men there, who had devoted themselves to death. This kind of devoting themselves was a part of religion; and the Romans were convinced, that the voluntary sacrifice made by their generals of their lives to the infernal Gods, occasioned disorder and confusion to the enemy. The Gauls admired those old men, as they sat with all the ornaments of the dignities through which they had passed in their ivory chairs, whilst they kept a profound silence, and neither rose up at the approach of the enemy, nor changed countenance, but continued calmly supporting themselves on their staves of ivory, without expressing the least sign of fear. Astonished at so surprising a sight, they continued long without daring either to approach, or touch them; not only the august purple of their robes, and the extraordinary splendor of their appearance, but the grave and majestic air of their countenances, making the Gauls behold them as so many Divinities. One of them, bolder than the rest, approached M. Papirius, and gently stroked his beard, which was very long, accord-

A. R. 365.
Ant. C.
387.

according to the custom of those times. Papirius on that freedom struck him with his staff over the head, which so much enraged the soldier, that he drew his sword and killed him. This was in a manner the signal for the slaughter. They then killed all the rest of the old men upon their seats, put all they met to the sword who had not been able to escape, plundered the city, and set it on fire in several places.

It, however, did not appear to be the design of the Gauls to destroy the city of Rome entirely; but to induce the besieged, by the sight of their smoking houses, to surrender. The flames in consequence did not do all the havock the first day there was reason to fear. The Romans, shut up in the Capitol, and who from thence saw the enemy dispersed all over the city, followed all their motions with their eyes, struck every moment with new matter of terror; and in the highest anguish on all they saw and heard, were quite out of their wits, and stupified with their grief. They turned their eyes sometimes on one side, sometimes on another, according as the cries of the Gauls, the shrieks of women and children, the glare of the flames, and the crash of falling houses, denounced some new disasters, and seemed placed expressly on the top of the Capitol to be the sad spectators of the ruin of their country.

This first day, so full of trouble and agitation, was followed by a night, which the horror of darkness rendered still more terrible; and every day only added some new misfortune to that which went before it. However, overwhelmed with so many evils, with the whole city on fire before their eyes, they continued obstinately determined to defend to their last drop of blood, and latest breath, the little hill confided to their valour, the only asylum and last hope of Rome's preservation and liberty. The continual view of so dreadful a scene, which every day repeated itself to their eyes, had inured them in such a manner to their own calamities, that they seemed entirely insensible of them, and regarded

no longer any thing but their arms and swords, their only hope and resource from thenceforth.

A. R. 305
Ant. C.
387.

The Gauls on their side, who for some days had made war only upon the houses by burning them, in hopes that the flames and ruins of the city would induce the besieged to surrender, seeing them insensible to all these evils, and resolved to defend themselves to the last, determined to attack them in form. Having therefore given the signal at day-break, and drawn up their army in the Forum, they advanced in good order to the hill with great cries, covering their heads with their shields in the form of tortoises against the darts and stones that might be discharged upon them from above. The Romans, without trouble or confusion, after having posted guards on all the avenues, and disposed their best troops against the attack, suffered the enemy to ascend, concluding that the higher they advanced, the more easy it would be to drive them down the steep declivity. Accordingly they halted in the midst of the descent, and falling upon the Gauls with impetuosity from that eminence, bore them down and entirely routed them; so that from thenceforth, dismayed by so vigorous a defence, they were afraid to expose themselves to the danger of a second attack. In consequence, having lost all hopes of carrying the citadel by assault, they turned the siege into a blockade, and the rather because not having judged that it would be so long, they had not taken the precaution to preserve the corn that was in the city, but had let it burn with the houses; and as for that in the country, the Romans were no sooner arrived at Veii, than they took care to carry it into that place.

The Gauls therefore divided their army. Part of it remained with Brennus their king, to continue the siege; the other, in detached parties, dispersed themselves about the country to forage, and to plunder the villages, with extreme confidence in their good fortune. Chance conducted the greatest body of these towards the city of Ardea, where Camillus since his banish-

A. R. 365.
Ant. C.
387.

banishment had lived as a private person, more afflicted for the misfortunes of Rome, than for his own. He could not comprehend any thing of what had lately happened to his country, and in the greatest surprize asked himself, what was become of those Romans who had taken Veii and Falerii with him, and who in all wars had ever been more courageous even than successful. In the midst of these sad reflections, he was informed that the army of the Gauls approached, and that the People of Ardea, trembling and in the highest affliction, were deliberating upon the measures it was necessary for them to take. Camillus, as if prompted, says Livy, by some divine impulse, immediately repaired to the assembly, where it was not his custom to appear, and seeing them in great perplexity and discouragement: " People of Ardea, said he to them, " always my friends, and now my fellow-citizens, if " you see me appear in this place contrary to my custom, do not believe that I have forgot my present " state and situation; but the danger which threatens " us, obliges every one to do his utmost to provide " against it. And indeed when will it be in my " power to be grateful for the important services you " have done me, if not at present; and in what can I " be of use to you, if not in war. It was by that I " supported my credit in my own country. After " having been always successful in arms, my ungrateful citizens expelled me during peace. As " for you, Ardeates, fortune presents you a fair occasion of expressing your gratitude to the Roman " People for all the favours you have received from " them, of which your own remembrance makes it " needless for me to put you in mind; and at the same " time to acquire your city immortal glory by the " defeat of the common enemy. The Gauls, who " are advancing hither in great bodies, are a nation " to whom nature has given greatness of size, and " impetuosity of courage, rather than firmness of " body and constancy of mind; and in consequence

" they

" they carry with them more terror than force to bat- A. R. 365.
 " tle. Their victory itself, and present conduct, are Ant. C.
 " a good proof of what I say. If they defeated us at 387.
 " the battle of Allia, that success is not to be ascribed The τοχὴ
 " to their bravery, but to fortune, who upon that ἐπιδουλέν
 " occasion displayed her whole power. What have ἡγεῖσθαι
 " they since done? They have made themselves χρ.
 " masters of a city, which they found entirely open.
 " An handful of soldiers, who shut themselves up in
 " the Capitol, make head against them. Disgusted
 " by their resistance, the siege appears already too
 " long and tedious to them: they remove from it,
 " and disperse themselves over the country. Full of
 " meat and wine, with which they hastily glut them-
 " selves, as soon as night comes on, they lie down
 " upon the earth like beasts along the sides of rivers,
 " without intrenchments, guards, or sentinels; and
 " their late success serves only to augment their cus-
 " tomary negligence. If you would defend your city
 " from being attacked by them, and prevent the whole
 " country from falling into their hands, take arms in
 " the middle of the night, and follow me, not to a
 " battle, but a certain slaughter. If I do not put the
 " Gauls fast in the bonds of sleep into your hands to
 " be butchered at discretion, like so many brute beasts,
 " I consent to be treated at Ardea as I have been at
 " Rome."

Every body knew that Camillus was the greatest
 captain of his time, and he found no difficulty in per-
 suading the Ardeates. The Gauls returning laden with
 spoils, encamped in disorder and with abundance of
 negligence; and both officers and soldiers had no
 thoughts but of drinking; not believing they had any
 other enemies, except those shut up in the Capitol.
 Night found them full of liquor, and brought a deep
 sleep upon them. Camillus, informed of their con-
 dition by those he had sent to view them, made his
 troops quit Ardea, and having marched all the way
 between the enemy and that city, arrived where they
 lay about midnight. At first he made all his troops
 raise

A. R. 365.
Ant. C.
387.

raise great cries, and commanded the trumpets to sound to terrify the Barbarians, who on so great a noise scarce recovered from their sleep and drunkenness. It was not a battle but a slaughter. Whilst they started up half asleep, they were killed without resistance. Some endeavouring to escape by flight, threw themselves into the enemy's hands. The greatest part of them, who had escaped into the country of Aratium, were killed by the inhabitants, who fell upon and cut them to pieces.

The Tuscans experienced a like fate in the territory of Veii, and they deserved it still better than the Gauls. Far from being moved with the misfortune of a city, settled almost four hundred years in their neighbourhood, and ruined by an enemy unknown till then, they made incursions at that very time into the lands of Rome, and laden with booty, had even formed the design of attacking Veii, the last resource of the Romans, who had retired thither. Some soldiers perceived them, and observed their camp at no great distance. They gave their companions advice of it, who were seized with indignation, and were immediately for marching against them. The Centurion Cædicius, whom themselves had chosen for their chief, checked their ardour, and made them suspend it till night. The name and authority of Camillus were all that were wanting on this occasion; all the rest was conducted with the same good order, and had a like success. The next day also they obtained a second advantage over another body of Tuscans still greater than the first; and with that double victory returned exulting and triumphant to Veii.

In the mean time the siege of the citadel was continued, and both sides remained without acting, the Gauls being solely intent upon preventing any one from quitting the place, and passing their guards. Things being in this situation, a young Roman, by an action of exceeding boldness, drew upon himself the admiration as well of the enemy as of his own citizens. There was a sacrifice peculiar to the house of the Fabii, which

which was to be made on a certain day upon mount Quirinalis. C. Fabius Dorso, drest in a robe suitable to this ceremony, came down from the Capitol, carrying the sacred things in his hands, passed through the enemies guards, without regard to the noise and expressions they used, and arrived at mount Quirinalis. After having performed there all the necessary ceremonies, he returned by the same way with equal gravity, and entire confidence that he should not fail of the protection of the Gods, whose worship he preserved at the hazard of his life. He returned happily to the Capitol: whether * the Gauls were amazed at the boldness of an action that had something of prodigious in it, or were actuated also by a sense of religion, to which that nation, as Livy observes here, were by no means insensible.

The fame of the victory gained by Camillus over the Gauls soon spread through all the neighbouring cities, and inclined great numbers of youth to join that general, and especially the Romans who had taken refuge at Veii after the battle of Allia. All these troops joined together formed already a sufficiently numerous army. They only wanted a chief, and had not long to deliberate upon the person. They unanimously sent deputies to Camillus, to desire him to take upon him the command as general.

He replied, that he would not accept it, till the citizens in the Capitol had confirmed their choice by their suffrages: that as long as they were in being, he should consider them as the body of the Commonwealth, and obey them with entire submission; so much † did decency sway in all things, and so exactly was the order prescribed by the laws observed, even at a time wherein every thing was in a manner entirely lost and desperate.

* Seu attonitis Gallis miraculo audaciæ, seu religione etiam motis, cujus haudquaquam negligens est gens. Liv.

† Adeo regebat omnia pudor, discriminaque rerum propè perditis rebus servabantur. Liv.

A. R. 365.
Ant. C.
387.

The wise reserve and noble deference of Camillus to the customs of the state were admired: but there was nobody to carry the news to the Capitol. It even seemed entirely impossible for any one to find entrance into a citadel, shut up so close by enemies, who were masters of the city. A young Roman, named Pontius Cominius, undertook that important but dangerous commission. Supported by corks he swam down the Tiber, came to the gate Carmentalis, where the silence was greatest, and on the side of which the ascent to the Capitol was steepest. He clambered up the rock without being perceived, and arrived not without great danger and difficulty at the posts of the first centinels. After having told them his name, they received him with joy, and carried him to the magistrates. The Senate immediately assembled. Pontius returned by the same way with the like good fortune, and carried back the decree of the Senate to the Romans, which gave them great joy. Camillus immediately put himself at the head of the army.

Whilst what I have just related passed at Veii, the citadel and Capitol were in extreme danger. The Gauls, whether they had perceived some prints of a man's foot at the places where Pontius had passed, or had discovered of themselves that the rock was not so impracticable as it was believed, undertook to ascend it. At midnight they began to climb it in files, laying hold of the herbage and bushes which grew upon the sides, and whatever else they could fasten on, and assisting one another with their hands as much as possible in places of such difficulty. They got in this manner to the foot of the wall, which was not very high, on that side, because the steepness of the place made it seem in no danger of attack. * This they did with such silence, that they not only did not awake the sentinels, but even the dogs, animals apt to stir at the least noise. They did not however deceive the geese.

* Tanto silentio in summum evasere, ut non custodes solum fallerent, sed ne canes quidem, sollicitum animal ad nocturnos strepitus, exciterent. Liv.

Out of respect for Juno, to whom they were consecrated, the Romans, in an extreme dearth of provisions had spared and abstained from eating them. M. Manlius, who had been Consul three years before, awakened by the cry of the geese, and the beating of their wings, gave the alarm. Whilst others were assembling, he ran to the wall, and with his buckler beat down one of the Barbarians, who had already laid hold of the battlements in order to enter the citadel, and threw him down the precipice. His fall occasioned that of several that followed him. The Romans, with stones and darts, precipitated all the rest from the top to the bottom of the rock. In this manner the citadel was saved.

The tumult being appeased, the remainder of the night was devoted to repose, as much as that was possible after so great an alarm. The next day at sun-rise the assembly was summoned. Manlius received the praises he had so well deserved. Both the officers and soldiers believed themselves obliged to instance their gratitude for him, and each gave him what they were allowed for one day's provisions, that is to say, half a pound of wheat, and a quarter of a pint of wine: a reward * small in itself, but one which the extreme scarcity of provisions made very considerable, and which shewed how dear Manlius was to the whole army; each consenting with joy to retrench from his own necessities in order to do honour to one man.

The centinels of the post by which the enemy had crept to the top of the citadel, were afterwards cited to answer for themselves. Q. Sulpicius, who commanded in chief, condemned them all to die according to the laws of military discipline. But all the soldiers laying the fault upon one only, Sulpicius spared the rest, and caused the criminal to be thrown down from the top of the rock. The guards from thenceforth were kept on both sides with much greater vigilance and attention.

* Rem dictu parvam: cæterum inopia fecerat eam argumentum ingens caritatis, cum se quisque victu suo fraudans, detractum corpori atque usibus necessariis ad honorem unius viri conferret. Liv.

A. R. 365.
Ant. C.
387.

The Gauls, tired with the length of the siege, which had already continued six months, began to lose courage. Famine made itself sensible in their camp, almost as much as in the citadel. Camillus had seized all the passes, and the Gauls could not disperse in quest of forage, without exposing themselves to the danger of being cut to pieces. Thus Brennus, who besieged the Capitol, was in some measure besieged himself, and suffered the same inconveniences which he made the besieged undergo. Besides which, the pestilence was in his army, in consequence of its being encamped in the midst of heaps of dead bodies piled upon each other, and amidst the ruins of houses burnt down, of which the ashes, that lay very deep, corrupted the air in such a manner by their dryness and acrimony, when driven by the wind and heated by the sun, that the troops respired nothing but a subtle poison, which preyed upon their vitals. That excess of heat, the more insupportable to the Gauls, as they were accustomed to live in cold and covered countries, and were actually now in low unwholesome places, especially in autumn, occasioned so furious a plague in their camp, that they buried the dead no longer, the number of them was become so great.

This extremity of the Gauls did not render the condition of the besieged the better. The famine, which augmented every day, distressed them on one side; and on the other the ignorance of what Camillus was doing, for they could receive no advice from him, gave them the most cruel anxiety.

Things being in this condition, both sides agreed upon a suspension of arms, during which, by the consent of the Generals, the troops had frequent intercourse with each other. As the Gauls relied exceedingly upon the extreme scarcity of provisions in the Capitol, and did not doubt in consequence that the Romans would soon be reduced to surrender, the latter to remove such thoughts, and obviate that confidence, caused loaves to be thrown from several parts of the Capitol into the posts of the Barbarians.

But

The THREE FABII, &c. Mil. Trib.

165

A. R. 365
Ant. C.
387.

But this stratagem, far from diminishing the famine, augmented it, and rose to such an height, that it was no longer possible to support it. Whilst the Dictator was levying troops at Ardea in person, and had ordered L. Valerius, whom he had appointed general of the horse, to march the troops from Veii, and was putting himself in a condition to attack the enemy with advantage; the army in the Capitol suffered excessively, and was reduced to the last extremities. Exhausted by fatigue and watching, which continually succeeded each other, after having by incredible courage and fortitude surmounted all human evils, but not being able to resist famine, insuperable to nature, in expectation every moment of the arrival of some aid from the Dictator, they saw at length not only provisions, but all hopes fail them, whilst their feeble bodies were incapable of service, though the same labours and watchings returned every day. The army, in this condition, demanded absolutely either to surrender or to ransom themselves on such conditions as they could, and the more because the Gauls insinuated clearly enough in their discourse, that they would consent to raise the siege in consideration of no very great sum of money.

With these general views, the Senate assembled, and gave the Military Tribunes full power to negotiate an accommodation, which was soon concluded between Sulpicius one of them, and Brennus king of the Gauls. It was agreed, that the besieged should pay a thousand pounds weight of gold, after which the Barbarians should withdraw their army out of the city and territory of Rome. Such was the price of a People destined one day to command the universe. Both sides immediately applied to weighing the gold. The Gauls were not ashamed to employ false weights in their scale, and when the Tribune complained of it, Brennus threw also his sword into it, adding with a tone of raillery the most insupportable of all expressions to a Roman, *Ve victis!* "Wo to the conquered!"

About
45,000 l.
sterling.

A. R. 365.
Ant. C.
387.

The injustice was too flagrant to take place, and the shame of living upon the terms of being ransomed too great for the Romans. That very instant Camillus arrived unexpectedly with his army. He advanced with a good guard to the place of conference, and having been informed of what had passed: "Carry back that gold into the Capitol," said he to the deputies of the Romans; "and as for you, Gauls," added he, "retire with your weights and scales; it is with the sword only, that the Romans ought to re-deem their country." Brennus, surprized at their haughtiness, which he had never experienced before from any Roman, represented to him, that he acted in contravention of a treaty concluded in all the former wars. Camillus replied, that from the time he was declared Dictator, all treaties concluded without his participation, were entirely void: he then bade the Gauls prepare for battle. He exhorted his troops to remember, "That they were now to fight in the view of the tutelary Gods of Rome, upon the very soil of their native city; in a word, in the midst of all that was dearest and most valuable to them in the world." He then drew up his army in the best order of battle possible, amidst ruins, and on uneven ground, and omitted nothing that might conduce to his success. The Gauls on their side stood also to their arms, and advanced to engage, prompted rather by their anger against the Romans, than prudence and counsel.

The * face of things was much changed now, says Livy; for the protection of the Gods and human wisdom united in favour of the Romans. In consequence the Gauls were defeated at the first charge, with the same ease as themselves had defeated the Romans at the battle of Allia. They were a second time routed more compleatly by the same Camillus at eight miles from Rome, on the Gabinian way, whither they retired immediately after the first battle. There they

* Jam verterat fortuna: jam deorum opes humanaque consilia Romanam adjuvabant. Liv.

were all put to the sword, their camp plundered, and not one of them left to carry home the news of their defeat. A. R. 365.
Ant. C.
387.

Thus was Rome, which had been taken in so surprizing a manner, recovered in a manner still more surprizing, after having been seven months in the hands of the Barbarians: for they entered it on the fifteenth of July, and were driven out of it about the 13th of February.

Polybius relates the retreat of the Gauls in a very different manner from the account I have just given of it after Livy, and does not say a word of their being twice defeated. But that the reader may judge the better of what he says, I add the passage. "Soon after, the Gauls having defeated the Romans and their allies, in a pitched battle, and put them to flight, they drove them on during three days as far as Rome, all of which they seized, except the Capitol. But the Veneti having made an irruption into their country, they made an accommodation with the Romans, restored them their city, and returned with the utmost expedition to defend their own territory." We must observe here, that Polybius does not enter into a circumstantial account of this great event, and contents himself with giving a general idea of it.

Camillus returned in triumph to the city, which received him as the Deliverer of his country, bringing back Rome itself to Rome. For the Romans, who had been out of it during the siege, followed his chariot with their wives and children: and those who had been besieged in the Capitol, and had seen themselves on the point of perishing with hunger, fatigues, and misery, went out to meet them, and embracing each other, shed tears of joy for so amazing a success, in respect to which they could scarce believe their eyes, so unexpected and improbable it seemed. The priests of the Gods and the sacred ministers of the temples walked in the procession, carrying all the sacred things, which they had either buried when they fled from Rome, or carried away with them; and the Romans,

A. R. 365.
Ant. C.
387.

intent upon a spectacle so grateful and so much desired, felt the same pleasure and joy, says Plutarch, as if the Gods in person had re-entered the city with them.

The day on which the same Camillus left Rome to go into banishment, seemed very different from this, when he entered it in the midst of the cries of joy, and the applauses of all the citizens. If we may believe Cicero, the first was no less for his glory: he speaks of the great men who had been recalled from their banishment, and of Camillus in particular. "Their * disgrace, says he, far from diminishing, served only to exalt their glory. For though it be more desirable to pass through life without injury and affliction, however, with respect to immortal glory, it is better to be regretted and desired by one's country, than never to have been injured." Such is the language of Cicero, who always idolized glory. And we may add, that adversity brings many virtues to light, which prosperity would have kept obscure and concealed.

The taking of Rome by the Gauls is one of the most famous events in the Roman history; and it is not † easy to say, whether it was more unhappy to the Romans through the extreme misfortunes and calamities with which it was attended, than glorious from the shining proofs of patience, fortitude, valour, and respect for religion, which they gave. But what seems most remarkable, and most worthy of our reflections, is the view of the secret springs which occasion the loss of battles, the ruin of nations, and the sudden revolutions which happen in states, when it pleases God to abandon them. This truth so often inculcated in the Holy Scriptures, is here clearly attested by the Pagans

* *Is damnatis non modò non imminuit calamitas clarissimi nominis gloriam, sed etiam honestavit. Nam, etsi optabilius est cursum vite conficere sine dolore & sine injuria, tamen ad immortalitatem glorie plus affert desideratum esse à suis civibus, quam omnino nunquam esse violatum* Cic. Pro domo sua, n. 86.

† *Quod tempus populo Romano nescio utrum clade funestius fuerit, an virtutem experimentis speciosius.* FLOR. l. 13.

themselves, and becomes evident if we consider only the events. A. R. 365.
Ant. C.
337.

Rome, at the time of which we are speaking, was triumphant; and never had her glory and power appeared with greater lustre. The considerable number of her troops, the invincible courage of her soldiers, the ability and reputation of her generals, and especially of Camillus, the frequent victories recently gained over all her neighbours, seemed to have placed her in perfect security, and to have left her no room for fear and disquiet. Rome however is in an instant taken, plundered and entirely burnt and destroyed. How then could so sudden a change happen? Is Camillus dead? Does the Senate, so wise and prudent, subsist no longer? The Roman troops, are they annihilated in an instant? The victorious and invincible hands of the soldiery, are they benumbed and struck motionless only at the appearance of the Gauls? This seems incredible, and however happened literally on the present occasion.

God sometimes deprives Generals of all courage and ability: he leaves Camillus those advantages at this time, but renders them useless, by permitting the Romans to banish a citizen, whose presence, if any human resource might be relied upon, would certainly have prevented the taking of Rome: *Expulso cive, quæ Liv. 5. manente, si quicquam humanorum certi est, capi Roma non potuerat.* 33-

The Senate, that body so venerable for its wisdom and the maturity of its deliberations*, send as ambassadors to a strange and unknown people, young Senators inconsiderate and violent, and more like the Gauls than the Romans. And afterwards instead of delivering them up to the Gauls, for having violated the law of nations in respect to them, it suffers them to be raised to the highest dignities of the state.

* Mitis legatio, ni præferoces legatos, Gallisque magis quam Romanis similes habuisset. Liv. 5. 36.

But

A. R. 365.
Ant. C.
387.

But in what manner does the army behave at the battle of Allia †? Nothing that resembles the Romans is to be seen either amongst the Generals or the soldiers. There are neither ‡ prayers, auspices, nor sacrifices before the battle; things never omitted by this people. No care was taken to chuse a good camp, and to fortify it well. Terror had seized every body. They could see nothing but the danger, and were solely intent upon avoiding it by the shortest way they could. Almost before they saw the enemy, all betook themselves to flight, not only without striking a blow, but without so much as having answered the cries of the enemy. I omit many other circumstances of this kind, and many essential faults.

Is all this natural, and in the common order of human things? Is it possible not to discern here the effects of a peculiar Providence, and the manifest power of a supreme Being, (for that is the idea which we must substitute to the terms of Destiny and Fortune used by the Pagans) of God in one word, who, when he would punish nations, deprives them of courage, prudence, presence of mind, judgment and attention to the most easy and most common things; and who makes them blind, to prevent them from seeing and avoiding the evils, into which it is his will to plunge them? *Urgentibus Romanam urbem fatis—Adeo occaecat animos fortuna, ubi vim suam ingruentem refringi non vult.* So Livy expresses himself upon the taking of Rome at this time. And Plutarch, in observing that the Gauls were not indebted to their valour for the victory gained over the Romans near the river Allia, adds, that it ought to be ascribed solely to Providence, “which thought fit to display its whole power in this

Liv. 5.
36, 37.

† In altera acie nihil simile Romanis, non apud duces, non apud milites erat. Pavor fugaque occupaverat animos—Ignotum hostem prius pene quam viderent, non modo non tentato certamine, sed ne clamore quidem reddito, integri intactique fugerunt. Liv. *ibid.* cap. 38.

‡ Ibi Tribuni militum non loco castris ante capto, non præmunito vallo—non deorum saltem, si non hominum, memores, nec auspiciis nec litatò, instruunt aciem. Liv. cap. 38.

“event.”

“event.” The expression is remarkable τῆς τυχῆς ἡγεμονίᾳ. He gives, as I have observed, the name of Fortune to the Divinity. God, according to Plutarch, took a kind of pleasure in shewing on this occasion, that he is omnipotent, that it is he who makes men all that they are, and that to shew how great their weakness, or rather nothingness is, he has only to abandon them to themselves. Those Romans, so proud of their power, wisdom, courage, and intrepidity, are not to be known at the battle of Allia. Nothing is so imprudent and senseless as their conduct before the battle, and nothing so abject and cowardly in the action itself.

A. R. 365.
Ant. C.
327.

Camillus himself, in speaking sometime after to the People, puts them in mind, that the taking of Rome, and all the misfortunes consequential of it, had been the just punishment of the violation of the law of nations, committed by the Roman ambassadors in respect to the Gauls, and of the criminal negligence of the Romans, who had not only left that crime unpunished, but had even rewarded it *. “Therefore, added he, “both Gods and men have punished us in “so signal a manner, that our example may serve as “a lesson for all mankind.”

After God has humbled their pride in this manner, he restores them all their good qualities, and re-instates them in their former condition. If the Romans made an ill use of these lessons, it is for us to make a better, and to learn the judgment which we ought to pass upon the events that occur in history.

I return now to Camillus. As he was a religious observer of all the ceremonies relating to the worship of the Gods, he made the Senate pass a decree to the following effect, “That all the temples should be re-established and purified with the usual expiations, because they had been profaned by being in the hands of the enemy. That the right of hospitality should be established between Rome and Cære, and that the

Liv. 1. 5.
Plut. in
Camill.
P. 144.

* Igitur victi, captique, ac redempti, tantum poenarum diis hominibusque dedimus, ut terrarum orbi documento essemus. Liv. 5. 51.

A.R. 365.
Ant. C.
387.

quality of Roman citizens, but without the right of suffrage, should be granted to the inhabitants of that place, because they had given refuge to the priests, and sacred things, of the Roman People, whereby the worship of the Gods had suffered no interruption. That the games called Ludi Capitolini, should be celebrated in gratitude to the great Jupiter, who in the midst of the misfortunes that had happened, had preserved his august abode, and the citadel of the Roman People; and that Camillus should for that purpose appoint a certain sufficient number of persons, inhabitants of the Capitol and citadel."

To expiate also the negligence, which had prevented the Romans from regarding the voice in the night, that had given notice of the arrival and approach of the Gauls, it was decreed that a temple should be erected in honour of the God Aius Locutius in the New-street, that is to say, in the same place where M. Cædicius had heard that voice. Aius Locutius, signifies *a God who speaks*. Cicero, who set a right value upon stories of this kind, is pleasant upon this name: "This same * God, when nobody knew him, talked and let people hear him, which occasioned his being called Aius Locutius: but since he has acquired himself a name, a temple and an altar, he says nothing, and is grown dumb."

Plut. de
fort. Rom.
325. Id.
de Quæst.
Rom. 287.

The gratitude of the Romans extended even to animals. We have seen that the Geese saved the Capitol. A kind of procession was instituted, in which a goose was carried in triumph upon a splendid litter. This ceremony continued to be practised in Plutarch's time, who observes that the first care of the Censors, when they entered upon office, was to provide the fund for the subsistence of the sacred geese, in reward for the important service they had rendered the state. In the same procession a dog was carried fastened to a gibbet.

* Aïus iste loquens, quando cum nemo nôrat, aiebat & loquebatur, & ex eo nomen invenit: postquam & sedem, & aram & nomen invenit, obmutuit. De DIVIN. l. 2. c. 69.

The THREE FABII, &c. Mil. Trib.

173

A.R. 365.
Ant. C.
387.
Plut. in
Camill. p.
144.

After the duties of religion and gratitude were satisfied, it was necessary to think of rebuilding the city. This occasioned great perplexity, the difficulties appearing unsurmountable. The city was destroyed, the houses down, and the walls levelled, so that it was in a manner necessary to look for Rome in Rome itself. The People, who were in want of all things, and had more need of repose and relaxation after the many evils they had experienced, than of new fatigues in an undertaking that seemed entirely above their strength, were exceedingly discouraged. The Tribunes, taking advantage of that general disposition, renewed the proposal they had already made, of removing to Veii, and of settling in that city, provided with every thing that could be desired for the necessities and conveniences of life. They added, "That it was to be a declared enemy to the ease and happiness of the Roman people, to oppose a design so advantageous in itself, so easy in the execution, and become absolutely necessary through the incapacity of the citizens to re-instate the city." It is easy to conceive how much such discourses must please the populace, and exasperate them against Camillus, who opposed their desires. They talked loudly, "That for his particular ambition and glory, he deprived them of a city entirely ready to receive them, and to which they had nothing more to do than to remove. That he obliged them to inhabit ruins, and to rebuild those frightful remains of the flames, in order to be called, not only the general and supreme magistrate of Rome, but also its founder, to the great contempt of Romulus, whom he aimed at divesting of that title."

The Senators, apprehending from hence the effects of a rising division, would not suffer Camillus to abdicate the Dictatorship before the end of the current year, as he intended, though no Dictator before him had ever continued longer than six months in that office. That great man, less sensible to the unjust complaints against him, than to the extreme danger of the commonwealth, repaired to the assembly, attended by all

Liv. l. 5.
c. 50—54.

A. R. 365.
Ant. C.
387.

all the Senators, and having mounted the tribunal for harangues, spoke to the People in the following terms,
 “ Romans, the disputes with the Tribunes are so insupportable to me, that the only consolation I had, when banished to Ardea, was to consider myself at a distance from them; and I was so strongly confirmed in this way of thinking, that I was resolved, even though the Senate and You should recal me, never more to set foot in a city, where eternal discord prevailed between the two orders of the state. That I have changed my conduct in returning, does not proceed from any change in my opinion, but solely from the interest of the public, which reduced me to it. The question was not to re-instate myself in Rome, but to preserve Rome itself, and to wrest her out of the hands of the Barbarians. And I should be silent at this instant, and remain quiet, if the same public interest did not oblige me to speak. I lament your fate, Romans; I am sensible of its bitterness, and as sensible of it as it is possible to be. And who indeed would not be moved with the sad condition to which you are reduced? But I am still more affected with that to which some are for reducing you by the fatal counsel they give you, How! To abandon Rome, which gave us birth! To stifle in our hearts all love for our country: and what country, ye immortal Gods! Why then have we recovered it out of the hands of the enemy? But motives infinitely stronger ought to move you: I mean those of religion and the Gods*. Their protection of Rome has appeared in these later times in so distinguished a manner, that it ought for ever to banish from our minds all oblivion and neglect of divine worship. Do but recollect all that has happened to us of adverse or prosperous for some years past, and you will dis-

* Tam evidens numen hac tempestate rebus affuit Romanis, ut omnem negligentiam divini cultus exemptam hominibus putem. Intuimini enim horum deinceps annorum vel secundas res, vel adversas invenietis omnia prosperè evenisse sequentibus Deos, adversa spernentibus.

cern, that every thing has succeeded with us, when
 submissive and dutiful to the Gods; and every thing
 been unfortunate, when we despised them”

A. R. 365.
 Ant. C.
 387.

After having repeated several examples, Camillus
 continues to this effect †. “ Having before our eyes
 so many monuments of the good and evil occasioned
 by our respect and contempt of divine worship, do
 you perceive, Romans, into what an abyss of crimes,
 scarce escaped as we are from the wreck of our
 faults and misfortunes, we are now going to plunge
 ourselves? We inhabit a city built in consequence
 of auspices and auguries. There is no part of it,
 that is not consecrated by some religious ceremony.
 All our general assemblies, wherein we elect magi-
 strates, and transact the affairs of the state, have
 their peculiar place, out of which they cannot be
 legally held. We have not only days, but places,
 fixed for our most solemn sacrifices. Will you
 abandon, Romans, all this worship of the Gods,
 as well public as private? Will you change all these
 institutions, as ancient, and some of them more
 ancient than our city? What a difference there is
 between you and the noble youth Fabius, who had
 the courage to pass through the enemy’s army to
 the Quirinal hill, to perform a religious ceremony
 peculiar to his family!

“ But, somebody may say, that necessity obliges us
 to quit a city entirely reduced to ashes, and to take
 refuge in Veii, where we shall find all conveniences,
 without having occasion to harass the poor people
 with works and expences, which they are not ca-
 pable of supporting. This, Romans, is a vain
 pretext, a false allegation. Did not your Tribunes
 make you the same proposal before the arrival of
 the Gauls, and whilst the city was whole and un-
 hurt. Should the Gauls, whose multitudes are said
 to be innumerable, repass into Italy; and, not to

† Hæc culti neglectique numinis tanta monumenta in rebus huma-
 nis cernentes ecquid sentitis, Quirites, quantum vixdum ex naufra-
 giis prioris culpæ cladisque emergentes, paremus nefas?

A.R. 365. " mention them, should the Æqui and Volsci, your
 Ant. C. " perpetual enemies, think fit to settle in this city
 387. " when you have abandoned it, would you, to spare
 " yourselves the pains of rebuilding your houses
 " would you suffer them to become Romans, and
 " yourselves only burghers of Veii? Were it not bet-
 " ter, if the thing were not otherwise possible, to
 " dwell here in poor cottages, like that of our found-
 " der, in the midst of our household-Gods, and the
 " temples still in being, than to condemn ourselves
 " to a public and universal banishment? Why should
 " all of us together refuse to do that in a general con-
 " flagration, which each would do in his private ca-
 " pacity, were his house accidentally burnt down?
 " You may indeed, Romans, carry your valour and
 " bravery elsewhere; but can you carry thither the
 " protection of the Gods, and the privileges they have
 " promised and attached to the city of Rome? It is
 " here that those Gods declared, when the head of a
 " man was found in digging the foundation of the
 " Capitol, that the capital of the world should be
 " built. It is here the two Divinities, Youth and the
 " God Terminus, in refusing to remove, signified that
 " the seat of an empire should be established, which
 " should have neither bounds nor end. It is here those
 " sacred pledges of the eternity of Rome, the fire of
 " Vesta, and the bucklers which fell from heaven,
 " are kept. In a word, it is to your continuance in
 " this city, that the divine oracles have attached your
 " glory, prosperity, and power."

Liv. l. 5.
 c. 55.
 Plut. in
 Camil.
 P. 145.

All these motives, especially those of religion, strongly affected the People. But a word pronounced without design entirely determined them. Some months afterwards, a Centurion, who was returning with his company from duty, called out to him who carried the ensign: "Halt here, and plant your colours: This is the best place for us to stay in." Both the Senate and People cried out unanimously, "they accepted the omen;" and that expression uttered by chance, but turned into a presage, had more effect

effect than the most solid reasons. Veii was no longer thought of; and so wonderful a change ensued in the minds of the People, that they mutually exhorted and encouraged each other to apply to the work. The public supplied them with tiles, and permitted them to take stone and other materials wherever they could find them. All began to build with great ardour, without regard either to district or order, every one seizing such place as seemed either more commodious for building, or most agreeable. This great precipitation occasioned no regard to be had either to the regularity of the streets, or the disposition of the houses. From whence it happened that the ancient sewers (Cloacæ) which at first only ran through the midst of the streets and public places, were afterwards under private houses, which must have made them very unhealthy. In less than a year the whole city was rebuilt from the walls to the last house of the meanest particular.

The commonwealth gave an house upon the Capitol to Manlius, as a monument of his valour, and of the gratitude of his country.

7

A. R. 365.
Ant. C.
387.

T H E
R O M A N H I S T O R Y

B O O K T H E S E V E N T H.

THIS seventh book contains the space of twenty-seven years, from the year 366 when Rome was taken, to the year 393. The principal events are, the great actions of Camillus, the punishment of Manlius thrown down from the Tarpeian rock, the Consulship granted to the Plebeians, the institution of the games called Ludi Scenici, and different victories over the Gauls.

S E C T. I.

Fabius is cited to take his trial for having violated the law of nations in respect to the Gauls. An exact enquiry is made after the laws and treaties. The Volsci, Æquians and Hetrurians, arm against Rome. Camillus is declared Dictator, defeats, and triumphs over all the people. The citizens, settled at Veii, are recalled to Rome. Four new tribes are instituted. Camillus terminates the war against the Antiates with success. War with the Volsci: they are defeated by the Dictator Camillus. Manlius attempts to make himself King. The Dictator imprisons him. The People murmur. Manlius is enlarged. He re-commences his intrigues. He is cited before the People, condemned to die, and thrown from the Tarpeian rock. Observations upon the names of the Romans.

LIVY, in beginning the sixth book of his history, Liv. l. 6. c. 1.
owns, that the events which he has related from the foundation of Rome by Romulus to its being taken by the Gauls, admit great difficulties, as well in effect of the remoteness of times, which occasions great obscurity, as because in those early ages there were few writings, the only faithful depositories of facts, and that the little concerning them preserved either in the annals of the Pontiffs, or in other monuments public or private, had in a great measure been consumed by the flames at the burning of Rome. The same historian adds *, that the facts he is going to relate from the rebuilding, and in a manner second birth of Rome, which will every day receive new augmentations, will from thenceforth be much clearer and more certain.

L. VALERIUS POPPLICOLA, II.

A. R. 366.

L. VIRGINIUS, &c.

Ant. C.
386.

The Military Tribunes were no sooner entered upon office, than one of the Tribunes of the People cited Q. Fabius to take his trial, for having put himself at the head of the Clusini contrary to the law of nations, when he was sent ambassador to the Gauls. His death, which happened so opportunely that it was believed voluntary, spared him that trial.

Liv. l. 6.
c. 1—5.
Plut. in
Camill. p.
145—147.

One of the first cares of the magistrates afterwards, was to make a strict search for the (1) laws and treaties: for many of them were preserved. The first treaty between the Carthaginians and Romans, which Polybius has preserved entire, was prior to the burning of Rome. It is very probable, that the Pontiffs

* *Clariora deinceps certioraque ab secunda origine velut ab stirpis lætius feraciusque renatæ urbis, gesta domi militiæque exponen-*

(1) The laws of the Kings and of the Twelve Tables had been written on brass, and fixed up in the Forum. The treaties with several states (according to the custom of the antients) had been engraven on pillars erected in the temples. What could not be found of these monuments, was supplied by memory.

A. R. 366.
Ant. C.
386.

and magistrates conveyed into the Capitol as many as they could of the annals, books of religion, and those which contained the customs and maxims of the commonwealth. Some of these laws, when collected together, were made public: but as for those which related to sacred things and the worship of the Gods, the Pontiffs reserved the keeping of them to themselves, and kept the knowledge of them from the public, with the view of holding the minds of the multitude in subjection, and of having the greater ascendancy over them.

The People in the neighbourhood of Rome did not leave her long in tranquillity. The Volsci, her ancient enemies, took arms with the resolution entirely to extirpate the Roman name. Advice also came by merchants, that all Hetruria was in motion, and preparing for war. But what gave most alarm was the news of the arming of the Latines and Hernici, who ever since the battle near the lake of Regillæ, that is to say, during an hundred years more or less, had continued firmly attached to the Romans. In the midst of so many subjects of terror, as it was evident that the Roman name was become not only hateful to the enemy, but contemptible amongst the allies, recourse was had to the usual practice of Rome, and Camillus was declared Dictator, who appointed Servilius Ahala his general of the horse. After having prohibited all judicial proceedings, business, and labour, he levied the troops, lifting even the old men who had any remains of strength to serve. He then divided his troops into three bodies. The one he opposed to Hetruria, and posted it in the territory of Veii: he made the second encamp near Rome; and with the third he advanced against the Volsci near Lanuvium. They had taken the field with perfect assurance of conquering the Romans, whose troops they believed entirely cut to pieces at the battle of Allia. The name alone of Camillus struck them with such terror, that they kept close in their camp, after having fortified it with strong palisades, and a fence of trees laid across the

Camillus taking the advantage of a wind that blew directly upon the enemy's camp, caused abundance of combustibles to be got ready. As soon as the sun rose, and the wind began to blow with violence, he made a false attack on the other side, and gave the signal to his troops. At that instant they poured an infinite number of flaming darts upon the intrenchments, which falling amongst the trees heaped upon one another, set all immediately in a blaze. Most of the enemy perished either in the fire, or by the sword. The Romans themselves extinguished the flames to save the spoils, which Camillus abandoned to them: the larger the more agreeable, as it was not expected from a general, who had never shewn himself liberal before in respect to the soldiers.

After this victory, Camillus ravaged the enemies' country. He reduced the Volsci to surrender themselves, defeated the army of the Æqui near the city of Bola, of which he made himself master, and immediately marched to the aid of the people of Sutrium, whom he expected to find besieged by the Tuscans. But they had surrendered, and on such hard conditions, that they had been permitted to carry off only their cloaths. He met them on his way in that wretched condition, with their wives and children, who all in a body deplored their misfortune to him. He consoled them, and made his troops advance without loss of time, rightly conjecturing the condition in which he should find the enemy. In consequence, he not only passed the whole territory of Sutrium without being discovered, but was at the gates of the city, and had seized part of the walls, before the Hetrurians were apprized of his approach: for they had not posted guards, but had dispersed themselves into the houses, without any thoughts but of carousing and diverting themselves. They were so full of meat and wine, that most of them were not capable of flying, and either suffered themselves to be shamefully killed without defence, or surrendered themselves still more shamefully. Thus Sutrium was restored before

A. R. 366. night, without having suffered any loss or damage to
 Ant. C. its citizens; for the place had been taken by capitulation,
 386. and not assault.

Camillus, having terminated three wars in a short time, entered Rome in triumph. A great number of Hetrurians whom he had taken prisoners, were led before his chariot. So considerable a sum was raised by the sale of them, that it sufficed to repay the ladies the gold, which they had generously lent the state, and with the rest three gold vases, inscribed with the name of Camillus, were made, which were placed in the chapel of Juno in the Capitol.

Such of the Veientes, Capenates, and Falisci, as had gone over to the Romans during the wars of which we have just spoke, were rewarded with the freedom of the city, and lands were assigned those new citizens.

Many particulars, to spare themselves the trouble of rebuilding their houses, had settled at Veii, where they found them ready for their reception. They were summoned by a decree of the Senate to return to Rome*. At first they made some difficulty in complying, and, as they believed themselves very strong, because well united amongst themselves, they answered in a tone that seemed to breathe revolt. The Senate fixed a time for their return, upon pain of death to such as disobeyed. The danger become personal, awed them into submission; and all complied.

The buildings in the mean time advanced considerably, because the state was at part of the expence; the Ædiles pushed the work forward exceedingly, and particulars urged by necessity, gave themselves no relaxation. Before the end of the year, the whole was compleated, and the new city entirely finished. Some time after the Capitol was also repaired.

* Et primò fremitus fuit aspernantium imperium. Dies deinde præstituta, capitalisque poena, qui non remigrasset Romam, ex ferocibus universis singulos metu suo quemque obedientes fecit. Liv.

M. FURIUS CAMILLUS, &c. Mil. Trib.

183

T. QUINTIUS CINCINNATUS.

A. R. 367.

Q. SERVILIUS FIDENAS.

Ant. C.

L. JULIUS JULUS, &c.

385.

Nothing considerable passed this year. Some small towns were taken from the enemy, and the Tribunes of the People made some stir.

The year following four new tribes were instituted, which made the number twenty-five in all.

M. FURIUS CAMILLUS, &c.

A. R. 369.

Ant. C.

383.

Liv. l. 6.

—10.

The war with the Antiates, who were supported by the Latines, gave Rome some alarm. But the name alone of Camillus, who was this year in office, calmed people's apprehensions. Every body said, "That had he been a private person, it would have been necessary to have created him Dictator:" and his colleagues declared, "That in case of war, he was capable of conducting every thing alone; that they were resolved to submit their authority entirely to his; and that they did not believe it any diminution of their dignity, to give place to that of a colleague so much their superior." The Senate gave the Military Tribunes great praises. Camillus, on his side, confounded at a conduct so much for his honour, and so rare an example of love for the public good, expressed his acknowledgment in the strongest terms. He said, "That so distinguished a favour of the Roman People, who seemed to confer a fourth Dictatorship upon him, the advantageous judgment of so venerable a body as the Senate, and especially the unanimous concurrence of his illustrious colleagues in resigning their authority to him, were an heavy burthen highly difficult for him to support. That he should use his utmost endeavours, by adding new care and zeal to all he had hitherto done, to exceed himself, in order to answer worthily the expectations conceived in his favour. That as to the war with the Antiates, there was more noise and menace than danger in it: that, however, though he was persuaded there was nothing

A. R. 369.
Ant. C.
383.

to fear, he believed it necessary that nothing should be neglected. That Rome was the object of the envy and hatred of all her neighbours : that therefore prudence required that several armies should be set on foot under different Generals." He afterwards assigned each of his colleagues their province, and kept Valerius with himself. They all promised to acquit themselves well of their duty. Valerius, in particular declared, " That he should consider Camillus as his Dictator, and submit to his orders as his General of the Horse." The Senators were seized with joy and admiration, gave Camillus and his colleagues the highest praises, and cried out, " That * the Commonwealth would never have occasion for a Dictator, if Magistrates like them were always in office, so perfectly united amongst themselves, so equally ready to obey or command, and much more inclined to divide their own glory with their colleagues, than to arrogate that of their colleagues to themselves."

Camillus and Valerius set out for Satricum, the rendezvous of the enemy's troops. The army of the Antiates was composed not only of the Volscian youth, but of a great number of the Latines and Hernici. The sight of so numerous a body, struck the Roman soldiers with terror and trouble. The Centurions immediately carried the news of that discouragement to Camillus, and told him, " That the troops had armed without ardor ; that they had quitted the camp slowly and with reluctance ; that they had even been heard complaining, that they were marching to a battle where they were to fight one against an hundred : that they were not capable of sustaining the charge of so great a multitude if they were unarmed, and much less armed as they were."

Camillus immediately mounted on horseback, and riding through the ranks : " Soldiers," said he, " what

* Nec Dictatore unquam opus fore republicæ, si tales viros in magistratu habeat, tam concordibus junctos animis, parere atque imperare juxta paratos, laudemque conferentes potius in medium, quam ex communi ad se trahentes. LIV.

“ means this sadness and languor, which I never
“ knew before amongst you? Have you forgot the
“ enemy, yourselves, and me? What are the enemy,
“ but perpetual matter for your valour and glory?
“ And are not you on the contrary the same (not to
“ mention the taking of Falerii, Veii, and the entire
“ defeat of the Gauls in our country, after they had
“ made themselves masters of it) who lately under my
“ command obtained three victories over these very
“ Volsci, Æqui, and Hetrurians? Do you not know
“ that I am your general, because I give the signal
“ as Military Tribune, and not as Dictator? I desire
“ no extraordinary authority in commanding you,
“ and you ought to consider nothing in me besides
“ myself. The Dictatorship added nothing to my
“ courage, no more than banishment abated it. We
“ are then all of us the same: and as we bring with
“ us the same things in all respects to this as to for-
“ mer wars, we have reason to expect the same suc-
“ cess. As soon as we come to blows with the ene-
“ my, do you behave yourselves as you use to do.
“ You will conquer, and they fly.”

Then giving the signal, he leapt from his horse, and taking hold of the next ensign-bearer, he pulled him along with him towards the enemy. As soon as the soldiers saw Camillus, notwithstanding his great age, advancing towards the enemy, they pushed forward all together, crying out, “ Let us follow our General.” Some say, that he ordered the ensign to be thrown amongst the enemy, and that the first line made extraordinary efforts to recover it. The Antiates could not sustain so rude a charge, and much less the dreadful sight of Camillus. Wherever he went, he carried terror along with him; which appeared evidently, when he repaired to his left wing, that had been put into disorder, and where he immediately re-instated the battle only by his presence, pointing with his hand to the other wing which was victorious. The success was no longer doubtful: but the multitude of the enemy retarded their flight, and
the

A.R. 369,
Ant. C.
383.

Roman soldiery, already fatigued by a long and rude battle, could not have gone through so dreadful a slaughter. A violent storm attended with a great rain, very opportunely came on to separate the two armies, and put a stop to the battle, rather than the victory. The retreat was sounded, and the night that followed it, terminated the war without putting the Romans to any further trouble. For the Latines and Hernici left the Volsci, and returned home, with the shame of having undertaken a weak enterprize, to which the success had been answerable. The Volsci seeing themselves abandoned by those, whose aid and forces had induced them to take arms, quitted their camp, and shut themselves up within the walls of Satricum. Camillus followed them close, and took that place by assault.

Camillus intended to form the siege of Antium the capital of the Volsci, which had excited this war, and he would undoubtedly have succeeded in it: but a more pressing occasion called him elsewhere. He flew to the aid of two allied cities (1), Sutrium and Nepete, of which the Heturians were almost in possession, and delivered them.

The Romans, seeing their tranquillity restored, sent to the Latines and Hernici to complain of their having assisted the enemies, and not furnished their contingents according to custom for several years. Those people, assembled in a body, made answer, "That it was without their participation some of their youth had joined the Volsci, and that they had been sufficiently punished for their temerity, none of them having returned home to their country. That as to their contingents, the perpetual terror they were in of be-

(1) These two cities were the barriers of Rome on the side of Heturia, and the keys of that country. The latter had surrendered to the Heturians, before Camillus arrived; the inhabitants being better affected to the Heturians than Romans: for which reason, when the latter took it now by assault, Camillus beheaded the authors of the revolt. That General, though victorious on all sides this campaign, out of modesty declined the honour of a triumph, which he could not share with colleagues, to whose moderation and deference he was so much obliged for deserving it.

ing attacked by the Volsci, had prevented them from sending them according to custom. Though this answer was little satisfactory to the Senate, they believed it proper to rest satisfied with it for the present.

A. MANLIUS.

P. CORNELIUS.

A. R. 370.
Ant. C.
382.

This year was remarkable for a very important war Liv. 1. 6. abroad, and a still more considerable sedition at home. 11, 13.

The latter arose, where there was no room to apprehend it, that is to say from Manlius, the famous Patrician, who had distinguished himself by his extraordinary merit upon so many occasions. To put a stop to his criminal designs, it was thought proper to have recourse to the sovereign authority of a Dictator; but the war with the Volsci, whom the Latines and Hernici supported, was made the pretext for it. A. Cornelius Cossus was created, who made T. Quintius Capitolinus his General of the horse.

Though the Dictator saw, that he should have ruder conflicts to sustain at home than in the field; however, whether the war required dispatch, or he was willing to add new weight to the Dictatorship by a victory and triumph, he made his troops march to the country of Pomptinus, where he had received advice that the enemy were to assemble.

Besides the disgust, which the wars, that regularly recur almost every year, must give the reader, he must be at some loss, says Livy, to conceive how the Æqui and Volsci, notwithstanding so many losses and defeats, are always in a condition to set new armies on foot. They must either have had extremely great numbers of age to bear arms, in order to supply so many levies, or those levies were not always made out of the same body, but out of different bodies of the same nation. Besides which, we must remember, that amongst these people, as well as the Romans, every citizen was a soldier. However that were, the army of the Volsci in question was very numerous, without in-

A.R. 370.
Ant. C.
382.

including the Latines and Hernici, and several other people, who had joined them.

The Dictator being arrived near the enemy, and having formed his camp, began by the usual prayers and sacrifices, and according to custom consulted the Gods by auguries and auspices. Early the next day, before he gave battle, he harangued his troops in few words. "Soldiers," said he, "the victory is ours, if the Gods or their interpreters know any thing of the future. Every thing foretells our good success. Proceed therefore to battle, as well assured of conquest: In order to which, lay down your javelins at your feet, and armed only with your swords, expect the enemy's attack without moving in the least from your ground. When they have discharged their darts, and advance against you, then let your swords glitter in their eyes, and come immediately to blows; and let each man remember, that the Gods are our protectors, and send us on to battle." He afterwards ordered Quintius to hold the horse in readiness, and as soon as the battle began, to charge the enemy in flank, and put them into disorder. His directions were punctually executed.

The enemy, who confided entirely in their number, began the battle rashly, and quitted it in the same manner. After having raised their first cries, discharged their darts, and shewn some ardor at first, as soon as they came to close fight, and to engage man to man, they could not sustain the charge of the Romans, who with eyes sparkling with fire, and sword in hand, attacked them with incredible impetuosity. The first line was soon defeated; and the Roman cavalry compleated the disorder of their troops. After a short resistance the flight became general. The Romans pursued them till night with great slaughter. The camp of the Volsci was taken and plundered. The Dictator abandoned the whole spoils to the soldiers, except the prisoners. Most of them were Latines and Hernici, and of the principal families, which evidently shewed, that they had taken arms by the consent of

of their states. It was also discovered, that the inhabitants of Circeii and Velitræ had shared in this war. A. R. 370.
Ant. C.
382.

The Dictator kept his troops alway in readines, not doubting but the People would be for turning their arms against the revolted allies: but a more urgent danger recalled him to Rome.

This was the affair of Manlius. I have already said that of all men he seemed the least capable of conceiving designs to disturb the state by factions. Those who had hitherto occasioned seditions so frequently in Rome, had almost all of them been Plebeians, who had scarce any other merit than that of knowing how to set on a populace, who are always the dupes of those that undertake to flatter them. Manlius was a Patrician, of one of the most illustrious houses of Rome. He had been Consul, and had acquired very great reputation by many glorious military exploits, and in particular by the signal service he had done his country in saving the Capitol, when upon the point of being taken by the Gauls. A secret vanity and jealousy, which Manlius suffered to take root in his heart, corrupted all his great qualities, and entirely sullied his glory.

Camillus had gained two great victories over the Gauls, wherein he had shewn himself, as upon many other occasions, the greatest captain of his times. During the first years from the new birth of the city, he had always been in office, either as Dictator, or Military Tribune. And even when he was no more than Tribune, his colleagues considered him as their superior and chief, and deemed it for their honour to receive his orders. Manlius could not suffer so high a degree of glory in a man whom he believed no more worthy of it than himself. In effect of his haughtiness and self-sufficiency, he despised all the rest of the Roman nobility. Only Camillus, whom his virtues, services, and the honours with which they had been rewarded, excited his jealousy, and tortured his pride. He was enraged to see him always in the highest authority,

A.R. 370.
Ant. C.
382.

thority, always at the head of the armies, and attained to such an height of greatness, that, said he, he treats even those, created with power equal to his own, not as his colleagues, but officers and substitutes to execute his orders: "However," added he, "to judge rightly of things, Camillus would never have been able to recover Rome out of the hands of the enemy, if I had not first saved the Capitol and citadel. He attacked the Gauls at unawares, and whilst engrossed by the hopes of peace, they thought of nothing so little as fighting: Whereas I repulsed them with their arms in their hands, and at a time when they were almost masters of the Capitol. In fine, every foldier who conquered with him has a right to share in his glory, but no mortal can claim the least part in mine."

Such are the sentiments and language, which envy inspires. When men are for engrossing certain advantages or qualities to themselves, they desire that none should have them in the same degree. All comparisons that cover and suppress the distinction they are fond of, are painful to them. And the heart is secretly afflicted with having rivals and competitors in things, by the lustre of which it is for attracting all regard to itself alone. This vice, though common enough, is avowed by nobody, because there is an unworthiness and meanness in it, that even pride cannot but be ashamed of.

As Manlius did not believe himself so much considered by the Senators as he deserved, he threw himself into the party of the People. He entered into a very great union with the Tribunes. He spoke contemptuously of the Senate, and flattered the multitude. Prudence was no longer* the guide of his actions, but popular air and the breath of the crowd. In a word, he chose rather to have a great than a good reputation. But the question was to propose some

* Jam aurâ, non consilio ferri, famæque magnæ malle quàm bonæ esse. Liv.

advantage to the multitude, that might be a bait to attract and seduce them. The other leaders of sedition had employed the Agrarian laws: that is to say, they proposed the distribution of a certain portion of the lands conquered from the enemy amongst the poorer people. This method did not seem sufficient to Manlius; and the situation in which the People then were, supplied him with another, which he judged more suitable to his designs.

The city having been burnt, every one had been obliged to rebuild his house: and in consequence persons of moderate circumstances being under the necessity of expences, often ruinous even to the rich, had contracted abundance of debts. The Roman laws in respect to debtors were excessively rigorous. They allowed the exacting of enormous interest: and when the debtor became insolvent, by the decree of a judge he was put into the hands of his creditor, who thereby acquired almost the same power over him, as a master had over his slave. Manlius therefore believed, that he could not take a more effectual method to conciliate the multitude entirely to his views, than by endeavouring to ease them of so heavy a yoke. Accordingly after * having formed a considerable party by his flattering discourses, he soon added actions highly for the good of the People in appearance, but really seditious, when considered by the motives from whence they proceeded.

One day seeing a centurion, who had distinguished himself by a great number of exploits in war, in the hands of his creditor, to whom he had been adjudged, he ran with his usual train to the middle of the Forum, and after having inveighed against the pride of the Senators, and the cruelty of the usurers, deplored the misery of the People, and expatiated upon the merit of a warrior who so little deserved such a fate: "It would be highly in vain," added he, "that the

* Non jam orationes modò Manlii, sed facta popularia in speciem, tumultuosa eadem, qua mente fierent intuenti, erant. LIV.

A. R. 370. "Capitol and citadel were preserved by this arm, if
 Ant. C. "I suffered my fellow-citizen and companion in war
 382. "to be made a slave, and to be laid in irons, exposed
 "to as great evils as if he had been taken prisoner
 "by the victorious Gauls." At the same time in
 the presence of the whole People, he paid the Centu-
 rion's debt, and set him at liberty.

It is easy to judge what a man in such a case was capable of saying and doing for his benefactor. He prayed, he conjured the Gods and men to reward Manlius, his deliverer, and the father of the Roman people, as he deserved. He shewed the wounds he had received in the war of Veii, in that against the Gauls, and in those that succeeded it. And, after having related in what manner his debts, contracted for indispensable occasions, had plunged him into the greatest misfortunes in effect of the accumulation of interest upon interest, he concluded with saying: "That it was to Manlius he was indebted that he now saw the sun, the city, and his fellow-citizens. That it was from his goodness he held all that a son holds from his father. That he devoted his person and all that remained to him of blood or life to his service. That all the ties, by which he was united to his country, his household-Gods public or private, all attached him from thenceforth entirely to him alone."

The People, animated by these discourses, were entirely devoted to him, whom they considered as their protector. Manlius did also an action still more capable than all that had preceded it, of enlivening their ardor, and making the multitude adore him. He caused an estate, which was the principal part of his patrimony, to be sold publicly: "In order, Romans, said he, "that I may not suffer any of you, whilst I
 "have any thing left, to be adjudged to your credi-
 "tors, and made slaves." This last stroke trans-
 ported the multitude to such a degree, that they seemed ready to follow the assertor of their liberty into whatever extremes he should think fit to lead them.

The

The Senators would undoubtedly have found it highly difficult to attack Manlius, his actions had so specious and shining an outside, if he had not supplied them with means of a different nature. He had the rashness to say in the assemblies which he held in his own house, that the Senators had appropriated the gold intended for the payment of the Gauls to their own use, as well as that which they had found in their camp; that they concealed great treasures which belonged to the public; and that if they could be discovered, they would suffice for discharging all the debts of the People. All those who heard him, pleased with so grateful an hope, demanded where a theft of that importance was kept. As he had nothing positive to answer, he amused them with a general promise to discover the whole at a proper time. Nothing else from thenceforth employed the People's thoughts; and it appeared, that if the fact was confirmed by enquiries into it, Manlius's credit would have no bounds: but on the contrary, if the accusation was found to be groundless, he would be entirely disgraced and lost even in the sense of the People.

It is very probable that the circumstance which might give some colour and pretext for this calumny of Manlius, in accusing the Senators of hiding the gold of the Gauls, (for those are the terms; *thesauros Gallici auri occultare à Patribus*) is what Livy relates in the preceding book, that the gold which had been taken from the Gauls had been placed under the pedestal of Jupiter's statue: *aurum, quod Gallis ereptum erat—sub Jovis sella poni jussum*.

Liv. l. 5.
c. 50.

Things were in this state, when the Dictator, recalled by the Senate, arrived at Rome. The next morning early he repaired to the Forum, attended by all the Senators, and having ascended the tribunal, ordered a Lictor to cite Manlius before him. Manlius, having apprized his partisans, that the moment of conflict approached, advanced with a numerous train. On the one side was seen the Senate, and on the other the People, each in a manner ready to attack the other, and waiting the orders of their respective leader.

A. R. 370.
Ant. C.
382.

leader. The Dictator, without entering into any other discussion, interrogated Manlius only upon the single fact of the treasures which he accused the Senators of concealing. He ordered him to name those who misapplied the public money in so criminal a manner; and, in case he failed to do so, he would commit him to prison as a seditious person, and false accuser.

The question was difficult for Manlius to answer. He replied to it in a very artificial manner, using evasions to elude its force, endeavouring to throw dust and confound his hearers, and especially to render his enemies odious. He began with discovering the artifice of the Senate, in making a war the pretext for creating a Dictator, whilst their real design was to employ the terrible authority of that office against him and the People. He afterwards justified himself in respect to points upon which he was not questioned. "You are offended," said he, addressing himself to the Dictator and Senators, "at the numerous train " with which I am surrounded. Why don't you take " part of it from me by your beneficence, in paying " the debts of some, being bound for others, and in " relieving the miseries of the People out of your " abundance? But what do I say? There is no occasion for applying your own in this manner. Only " deduct from the principal what you have received " in interest, and from thenceforth you will see me " no better attended than another. But wherefore, " you may say, am I the only one to take care of the " citizens? I can only answer, as I should were I " asked, why I was the only one to save the Capitol " and citadel? I then gave all the citizens in general " such aid as was in my power, and I now do the " same in respect to particulars. As to the treasures " which you conceal, why do you ask me what you " know yourselves? It is perhaps because you have " taken your measures so well, as not to apprehend " being discovered *. The more you insist upon

* Quo magis argui prastigias jubetis vestras, eo plus vereor ne stuleritis observantibus etiam oculos. Liv.

“ detecting your legerdemain, the more I fear, that
 “ you are sure of imposing it, notwithstanding the
 “ nicest observation. Therefore it is not me, that
 “ should be compelled to discover the thefts you have
 “ committed; but you, that ought to be obliged to
 “ bring them to light.”

A. R. 370.
 Ant. C.
 382.

The Dictator would not suffer the change to be put upon him. He commanded him to explain himself clearly, without evasions; and, upon his refusal, ordered him to be carried to prison. Manlius, seeing himself seized by the Dictator's officer, omitted nothing to make the People rise in his defence. He invoked all the Gods that inhabited the Capitol, imploring them to aid him who had so courageously defended them. “ How !” said he, “ shall the hand that has preserved your temples from the fury of the Gauls be disgraced with vile chains ?” The whole People were in despair*. What they saw and heard penetrated them with the most lively affliction. But always submissive to legal authority, that same People had prescribed bounds to themselves, through which they dared not break; and the authority of the Dictator held them in such respect, that neither the Tribunes of the People, nor the People themselves in their collective body, scarce ventured to raise their eyes from the ground, or to open their mouths in his presence. In other respects they shewed all the signs of the most sensible grief. Great part of the People put on mourning habits; and many of them let their hair and beards grow, which was not usual but in the greatest calamities. The gates of the prison were besieged perpetually by crouds of persons with sorrow manifest in their faces and whole appearance.

* Nullius nec oculi nec aures indignitatem ferebant. Sed invicta sibi quædam patientissima justî imperii civitas fecerat: nec adversus dictatoriam vim aut Tribuni Plebis, aut ipsa Plebs attollere oculos aut insicere audebant. Liv.

† Livy supposes here, that the Romans did not wear their beards long at this time: which is contrary to the opinion of Varro and other authors.

A. R. 370.
Ant. C.
382.

The Dictator triumphed over the Volsci; but his triumph drew upon him more hatred than glory. He was publicly talked, "That he had acquired it in the city, not in the army: that he triumphed over a citizen, not over the enemies of Rome; and that all that was wanting to adorn his triumph, was to have Manlius dragged in chains before his chariot." Every thing tended to an immediate revolt. To mollify the People, the Senate became liberal and beneficent on a sudden, and appointed a colony of two thousand citizens to be sent to Satricum, assigning each of them two acres and an half of land. As the largess was very moderate in itself, confined to a small number, and besides was considered as a bait offered to the People for betraying Manlius, the remedy, instead of appeasing the sedition, only aggravated and enflamed it, especially when the abdication of the Dictatorship by Cossus had rid the People of their fears, set their tongues at liberty, and permitted them to vent their complaints freely.

Voices were then heard publicly in the midst of the multitude, reproaching the People with ingratitude to their defenders, for whom they at first expressed exceeding zeal, and afterwards basely abandoned them in the time of danger; witness Cassius and Maelius, whose services they had rewarded, by giving them up to the hatred of their enemies. That they treated their protectors like victims, who are only fattened to have their throats cut. "How! said they, "Could a person of Consular dignity deserve such a punishment for not answering as the Dictator thought fit? Suppose what he had advanced was false, and therefore that he could not make a good reply: was ever slave punished with chains and prisons for a lie? How came you not to call to mind that night, which was almost become the eternal night of the Roman name? Why did you not represent to yourselves the Gauls, climbing up to the top of the Capitol, and Manlius himself, such as you saw him with his arms in his hands, covered with blood and sweat, and defending Jupiter himself from the fury

of the Barbarians *? Do you believe that a few measures of meal were a sufficient reward for the preserver of his country? And him, whom you have almost placed amongst the Gods, whom you have at least equalled with Jupiter by the surname of Capitolinus; can you suffer that the same man should now be laid in chains, thrown into a dungeon, and live only in expectation of death from the hands of an executioner? One man then has sufficed for preserving you all; and all of you together are not sufficient to extricate that one out of danger."

The mutineers now passed not only the day, but even the night round the prison, and menaced to break down the gates. The Senate chose to grant them what of their own accord, which they were upon the point of taking by force, and caused Manlius to be set at liberty. But by that timorous policy, instead of appeasing the sedition, they only gave it an Head.

About the same time the Latines and Hernici, and the citizens of the colonies of Circeii and Velitræ, arrived at Rome, to justify themselves in respect to the war with the Volsci, and to demand that their prisoners should be put into their hands, in order to their being punished according to their own laws. This was not complied with: but the Romans expressed their anger most sensibly in respect to the inhabitants of the two colonies, because being Roman citizens they had formed the criminal design of attacking their country. Not only what they demanded in respect to their prisoners, was refused; but, which was not done in regard to the allies, they were given to understand in the name of the Senate, that they should quit the city directly, and remove themselves from the sight of the Roman people, lest the right of ambassadors, established for strangers not citizens, should not protect their persons.

* *Selibrifne farris gratiam servatori patriæ relata? &, quem propelestem, cognomine certè Capitolino Jovi parem fecerint, eum patietum in carcere, in tenebris obnoxiam carnificis arbitrio ducere animam? Adeo in uno omnibus satis auxilii fuisse: nullam opem in multis uni esse.* LIV.

A. R. 371.
Ant. C.
381.

SER. CORNELIUS MALUGINENSIS III.

P. VALERIUS POTITUS II.

M. FURIUS CAMILLUS VI. &c.

Divisions were renewed more warmly than ever the beginning of this year. Manlius held assemblies night and day in his house with the principal Plebeians. On one side the affront he had received exceedingly exasperated a spirit little accustomed to ignominy: on the other, what rendered him more bold and haughty than ever, was to see, that the Dictator had not dared to proceed against him, as Cincinnatus had done in respect to Mælius, and that even the whole Senate, not being able to hold out any longer against the discontent and menaces of the people, had seen themselves reduced to set him at liberty. Inflamed and animated by these motives, he persisted continually in inspiring the People with the same sentiments. "How long," said he to them, "will you be ignorant of your own strength, of which nature has not thought fit that beasts themselves should be ignorant? Reckon at least your own number, and that of your adversaries: though however, were the numbers equal, you would undoubtedly engage with more valour for your liberty, than they to support their unjust sway. As many clients as there are of you to one patron, so many will you be to each of your enemies, in the approaching conflict. Shew only the war, and you will have peace. Let them see that you are prepared to make a good defence, and they will immediately grant you what you demand. You must altogether either determine to be bold in undertaking, or resolve each in particular to suffer the utmost injuries. How long will you fix your eyes upon me? I will not be wanting to any of you: but do not suffer me to be made incapable of serving you. Myself, your protector, disappeared, when your enemies thought fit to have it so. What ought I not to fear, should they be

come more bold in respect to me? Must I expect the unhappy fate of Cassius and Mælius? You are shocked at the thought: you are in the right, and I hope the Gods will avert such a misfortune far from me. But those Gods will not descend from heaven on my account. They must inspire you to remove such dangers from me, as they have me to defend you in war against barbarous enemies, and in peace against unjust citizens. Shall your disputes with the Senate always terminate in your submitting to the yoke *? It is not because that disposition is natural to you: it is the habit of suffering them to ride you, which they have made their right, and turned into a kind of inheritance. Accordingly, whence is it that you are so bold and courageous against the enemy abroad, and so soft and timorous against those at home, if it be not because you believe yourselves obliged to fight with your whole force for command and dominion with the former, and make but feeble attempts against the latter in defence of your liberty? And yet, notwithstanding your timidity, and that of your chiefs, whether through superiority of strength or your good fortune, you have hitherto always obtained what you demanded. It is now time to undertake greater things. Try what your good fortune will do for you, supported by my zeal, of which you have already made sufficiently happy experience. You will find less difficulty in giving the Senators a master, than it has cost you to defend yourselves against them, whilst they have had power to lord it over you. Dictators and Consuls must be abolished, if you would have the People raise their heads. Unite therefore with me. Prevent debtors from being prosecuted according to the rigour of the laws. I declare myself the † Patron and Protector of the

* Nec hoc natura insitum vobis est; sed usu possidemin.

† Ego me patronum profiteor plebis: quod mihi cura mea & fides nomen induit. Vos, si quo insigni magis imperii honorisve nomine vestrum appellabitis ducem, eo utemini potentiore ad obtinenda ea quæ vultis. Liv.

A. R. 371. " People ; names which my zeal for your interests
 Ant. C. 381. " emboldens me to assume. As for you, if you are
 " for exalting your chief by any more splendid title,
 " more illustrious dignity, you will only augment his
 " power for your support, and to obtain for you what
 " you desire."

Manlius betrayed himself by those last words, however indirect, and it was easy to perceive that he aimed at the sovereignty. He knew, that the name of king was abhorred and detested by the Roman people; and not daring to use the word itself, which would immediately have called to mind the ancient execrations pronounced in the name of the whole state, and for all succeeding ages, against such as should presume to aspire to the throne, he vainly endeavoured to conceal his design under trivial circumlocution. Did he believe that it was the word, and not the thing, that the Romans had in horror? Livy confesses, that he can find nothing concerning the measures he took for the success of his design; who those were, whom he engaged to serve him in so dangerous an enterprize; and how far it was carried. The consequence gives reason to conjecture, that nothing ever was worse concerted than this project, and that it had no foundation but a rash and frantic ambition, which had given him room to hope, that the People would blindly follow him headlong, wherever he should think fit to lead them.

The Senate, however, alarmed by the frequent assemblies held in the house of a private person, and a house situated in the citadel, were in the greatest perplexity. Most of them said, that the occasion required a second Ahala, who, instead of protracting the affair, might terminate it suddenly by the death of the criminal. Recourse was had to a gentler but no less effectual method, in ordering the magistrates " to take care that the Commonwealth sustained no prejudice from the pernicious designs of Manlius : " by which form of words they were invested with full and supreme authority; as we have already observed elsewhere.

In so delicate a conjuncture, the Tribunes of the people, who had joined with the Senate, because they perceived, that the liberty of the public and their own power would expire together, proposed a very wise method of proceeding, though it appeared entirely dangerous at first. They represented, "That in the present disposition of the People, Manlius could not be openly attacked, without interesting them in his defence. That violent measures were always dangerous, and might excite a civil war. That it was necessary to separate the interests of Manlius from those of the people. That in order to that, they were determined to cite him before the Tribunal of the People themselves, and to accuse him in form." "No-thing," added they, "is less agreeable to a free people than a king. As soon as the multitude sees that your aim is not against them, that from protectors they are become judges, that their Tribunes are the accusers, and that a Patrician is accused, and accused for having aspired at the tyranny, no interest will be so dear to them as that of their liberty."

This counsel was followed, and Manlius was cited by the Tribunes before the People. He appeared in a mourning habit, but without a single Senator, relation, friend, or even his own brothers along with him, to express concern for his fate: so much did the love of liberty, and the fear of being enslaved, prevail in the hearts of the Romans over all the ties of blood and nature! A Senator, and a person of Consular dignity, cited to take his trial, was never known to have been so universally abandoned. When Appius Claudius, the Decemvir, was put in prison, C. Claudius his declared enemy, and the whole family of the Claudii, were seen in the habit of suppliants before the judges, imploring mercy for their relation, as criminal and inexcusable as he was. After the Tribunes had spoke, Manlius replied according to his custom, by repeating his exploits and services. He exhibited glorious proofs of them to the eyes of the people,

A. R. 374.
Ant. C.
381.

people, and produced a great number of military (1) rewards of different kinds. At the same time he uncovered his breast, and shewed the many honourable wounds he had received in battle. Then extending his arms towards the Capitol, which was in view from the assembly, he implored Jupiter and all the Gods to inspire the Roman People in his present danger, with the same sentiments as they had inspired him for their preservation when he defended the Capitol; conjuring his judges at the same time, before they passed sentence upon him, to cast their eyes up to that sacred place, and the immortal Gods that resided in it.

The People, touched by so moving a sight, could not resolve to put the rigor of the law in execution against a man, who had so lately preserved the Commonwealth. The sight of the Capitol, where he had fought so bravely against the Gauls, weakened the accusation, and attracted the compassion of the multitude. The * Tribunes discerned aright, that as long as the People should have an object before their eyes, that recalled the remembrance of an event so glorious for Manlius, their ears would be little open to the grievances alledged against him. They therefore referred the judgment to another time, and summoned the assembly to a place, where the Capitol was not in sight. Their accusations had here all their effect. Pity found no longer access to their minds, and a rigorous sentence was passed, not without extreme compunction even to those who pronounced it. Manlius was condemned to be thrown from the top of the Capitol; and † the same place, which had been the theatre of his glory, became that of his punishment

(1) These rewards were two mural crowns of gold, for having entered first two cities taken by assault; eight civic crowns, for having saved the lives of as many citizens, of whom C. Servilius when general of the horse was one; and thirty spoils of enemies killed in single combat.

* Apparuit Tribunis, nisi oculos quoque hominum liberarent ab tanti memoria decoris, nunquam fore in præoccupatis beneficio animis vero crimini locum. Liv.

† Locus idem in uno homine & eximie gloriæ monumentum & pœnæ ultimæ fuit. Liv.

and infamy. His memory was treated with rigor after his death; the family of the Manlii being forbidden to use the Prænomen of Marcus for the future: (I shall soon explain what the Romans understood by the Prænomen) and a decree passed that no Patrician from thenceforth should inhabit the citadel, where his house had stood.

Such was the end of a man who might have been the ornament of his country, if he had not been born in a free state. We here see how many glorious actions, and excellent qualities, the lust of reigning rendered not only fruitless, but odious and detestable. Manlius was led on to this criminal excess by another passion still more horrible, though it appears less so, I mean the envy and jealousy of exalted virtue. We have seen that he could not bear the glory of Camillus, the lustre of whose reputation mortified him excessively. Not being able to surpass him by merit, he endeavoured to become his superior by a rank that rendered him his master, and formed the frantic design of making himself king. What a difference is there between this black malignity, tortured by the advantages of others, and the noble candor of Camillus's colleagues, who, by a voluntary submission, render an homage to his superior merit, that does them more honour than Camillus himself.

The People soon after, when they had no longer any thing to fear from Manlius, considering him only on the side of his good qualities, regretted his fate. A sudden plague, that visited Rome without any apparent cause, seemed to most people a punishment from heaven for their treatment of him. They said, that the Capitol had been polluted with the blood of its deliverer, and that the execution of a citizen, who, after having rescued the temples of the Gods out of the hands of the Barbarians, had been put to death almost before their eyes, was a spectacle that could not but give them great offence. The levity and inconstancy of the multitude is visible here, who suddenly change
dispo-

A. R. 371.
Ant. C.
381.

disposition, and fluctuate continually from one extreme to another.

I come now to explain what the Romans meant by the Prænomen.

OBSERVATIONS upon the names of the Romans.

The Greeks had only one name, but the Romans had sometimes three or four: the PRÆNOMEN, NOMEN, COGNOMEN, and sometimes even the AGNOMEN.

The PRÆNOMEN every particular had: the NOMEN was the name of the family from which a person descended: and the COGNOMEN was peculiar to some family, or more properly to some branch of that family.

I. The Prænomen was, as the word signifies, the name prefixed to that of the family, like our Christian name.

Some of these Prænomens were expressed by a single letter, as A. Aulus, C. Caius, D. Decimus, K. Kæso, L. Lucius, &c. Some with two letters, AP. Appius, CN. Cneius, SP. Spurius, TI. Tiberius. And others with three letters MAM. Mamercus, SER. Servius, SEX. Sextus.

II. The NOMEN was the name of a family or house, and all its branches. Thus all those of the house said to descend from Julius, the son of Æneas, were called the Julii: those of the house of the Antonies, Antonii, and so of the rest.

III. The COGNOMEN, which originally was often a kind of nick-name, or on the contrary an appellation of honour, distinguished the different branches of the same house, *in eadem gente*: as when Livy says, that the house of the Potitii was divided into twelve families. For Gens and Familia are as the whole and its parts. Those of the same race, or of one and the same house, were called Gentiles, and those of the same branch, or of one and the same family, Agnati.

Thus

L. VALERIUS, &c. Mil. Trib.

205

Thus when the Cæsars are said to be of the house of the Julii, the Julii is the general name of the house, and Cæsar that of a particular branch of it. When we express the whole name of Cæsar the Dictator, C. Julius Cæsar: C, that is to say, Caius, is the prænomen; Julius the name of his family, and Cæsar, that of the branch from which the Dictator descended.

A. R. 371.
Ant. C.
381.

Some add to these the Agnomen, which was given on some particular occasion, as Africanus to one of the Scipios, and Asiaticus to the other, on account of their great exploits in those provinces. The term Cognomen includes also this last kind of names.

SECT. II.

Different Colonies settled. War against the Volsci. Camillus is chosen one of the Military Tribunes to command the army. His extraordinary moderation in respect to one of his colleagues, whose fault he retrieves by the defeat of the enemy. His singular expedition against the people of Tusculum. Several wars of little importance.

L. VALERIUS IV.

A. MANLIUS III.

SER. SULPICIUS III. &c.

A. R. 372.
Ant. C.
380.

THE plague of the preceding year occasioned a scarcity of provisions, and the report of those two scourges joined together, induced several states, not well subjected, to revolt. To incline the People to take arms willingly, it was thought proper to soothe them by beneficence. Five Commissioners were appointed for distributing the territory of Pomptinus, and three for settling a colony at Nepete. There was no war however this year.

Liv. 6. 12.

SP. & L. PAPIRII, &c.

A. R. 373.
Ant. C.

The legions marched against Velitræ, a Roman colony that had revolted. It was supported by a strong

379.
Liv. 1. 6.
C. 22, 27.

A. R. 373.
Ant. C.

379.

Plut. in
Camil.

148, 149.

strong body of troops from Præneste. The Romans gained a victory, but did not venture to attack Volturnæ, not believing themselves strong enough to take it.

The Prænestini having engaged the Volsci to join them, took Satricum, a Roman colony, by storm after a long and vigorous resistance, where they exercised great cruelties.

A. R. 374.

Ant. C.

378.

M. FURIUS CAMILLUS, VII.

L. FURIUS, &c.

Rome seeing the war become important thought proper to elect Camillus amongst the Military Tribunes, who was the ordinary resource of the commonwealth in great dangers. He excused himself on account of his great age, which, he said, rendered him unable to discharge the duties of a general of an army. He was, however, at that time only sixty-six or sixty-seven years old. Perhaps he apprehended envy, or some reverse of fortune after so much glory and success. But his best excuse was his want of health, for he had an illness upon him at that time. He was upon the point of swearing in full assembly, according to the usual form for such as excused themselves from serving upon account of sickness; but the People would not hear him, and cried out, that they did not want him either to fight on foot or on horseback; and had occasion only for his head and his counsels. He could not resist the ardent desire of the whole People*. He still retained, though advanced in years, all the vigour and vivacity of youth. He had all his senses in perfection, and though he entered little into domestic affairs, war roused and restored him to himself.

The manner in which he acted in the war he was charged with this year, shews evidently, that it was with great wisdom the Romans, without regard to the

* Vegetum ingenium in vivido pectore vigeat virebatque, integris sensibus: & civiles jam res haud magnopere obesse bella excitabant. Liv.

M. FURIUS CAMILLUS, &c. Mil. Trib.

297

A. R. 374.
Ant. C.
378.

weakness and age of a general of consummate valour and experience, had given him the preference, against his will, to those who in the flower of their youth solicited the command against him.

Camillus was chosen to command the troops sent against the Volsci, who had joined the people of Praeneste. It fell by lot to L. Furius to be his colleague on this occasion. The latter, young and presumptuous, dispensed with the respect, which the greatest persons of the state had always paid Camillus since the defeat of the Gauls; and thereby gave that great man occasion of acquiring a new species of glory.

The two Roman generals set out together against the Volsci. The enemy had the advantage in number, and for that reason immediately offered battle. The Roman troops, and especially Furius, expressed no less ardor for coming to blows, and had engaged accordingly, if not prevented by the wise counsel and opposition of Camillus, who * sought by delays some favourable occasion that might supply what was wanting in respect to the number of his troops. That conduct augmented the boldness of the Volsci, who came and insulted the Romans at the very gates of their camp. The Roman soldiers were extremely incensed: but none so much as L. Furius, who, besides the boldness and haughtiness of his age and disposition, was animated by the confidence which he observed in the multitude, whose courage the worst founded motives is often sufficient to flush.

Accordingly, finding the troops already warm, he inflamed them still more by his discourse, and endeavoured to depreciate his colleague's authority on the only side by which he could attack it, on that of his age. He affected frequently to say, "That war was the business of the young, and that courage either continued vigorous, or declined, with the body. That Camillus, from an active and enterprising warrior,

* Qui occasionem juvandarum ratione virum trahendo bello querebat. Liv.

A. R. 374.
Ant. C.
378.

was become slow, and fond of delays; and that the same general, whose custom it was formerly to take camps and cities as soon as he arrived before them, now drooped within the intrenchments of his own. And this, with what view? What augmentation of his own forces, or what diminution of the enemy's, does he expect? what better occasion, what more favourable time? What place does he imagine he shall discover, that may be proper for laying an ambuscade? The truth is, there is no longer any thing but coldness and ice in the counsels of an old man. Camillus has lived long enough, and acquired sufficient glory. But ought we to suffer the forces of the commonwealth, that is to be immortal, to sympathize with one mortal body, and sicken and languish with it?"

By these discourses, which suited the disposition and desires of the soldiery, he drew upon himself the confidence of the whole army; and as they demanded to fight on all sides, he went to Camillus. "We can no longer restrain," said he, "the ardor of our troops; and the enemy, whose courage we have increased by our delays, insult us in a manner no longer to be endured. You alone oppose the desire of us all. Suffer yourself to be overcome in combat, that you may the sooner overcome in battle." The answer of Camillus, and the battle which immediately ensued, shew, that age had only augmented his prudence, without in the least diminishing his valour, or fire in action; and at the same time gave us an example of the most consummate moderation antiquity ever produced. He contented himself with representing to Furius, "That in all the wars in which he had commanded alone till then, neither himself nor the Roman people had repented either his conduct or the success of it. But that now he knew he had a colleague, whose authority was equal to his own, and who excelled him in the vigour of his years. That in consequence, as to what concerned the troops, it had been his custom to command them

and not to be commanded by them : But that he could not prevent his colleague from using his power and right. That with the help of the Gods he might do what he should judge most for the good of the commonwealth. He however made it his request, that in regard to his age and weakness, he might be left with the reserved troops, where he should endeavour not to be wanting in such duties as an old man was capable of discharging. He concluded with * praying the Gods, that no misfortune might give reason to conclude his counsel the more commendable." The Gods, says Livy, were deaf to the prayers of Camillus, as men had been to his salutary advice. He thought it improper to insist any longer on his own opinion, apprehending, that he might be suspected of intending, out of envy, to deprive his colleague and the young officers that served under him, of an occasion of acquiring glory, and of rendering the commonwealth great service.

A. R. 374.
Ant. C.
378.

Furius fought at the head of the army : Camillus remained with the reserved troops, whom he strengthened as much as possible for the greater security of the camp, and from the top of an eminence was spectator of a battle fought contrary to his advice. On the first charge, the enemy fled, not through fear, but stratagem. Behind the Volsci, between their army and camp, there was a small eminence with an easy declivity ; and as they had more troops than were necessary, they had left a great body of the best of them in their camp, with orders to make a sudden sally, when the enemy should approach the entrenchments. The Romans, in pursuing the Volsci too warmly, were suddenly led on into a disadvantageous place ; and the troops in the camp seized that instant for sallying upon them with impetuosity. Terror and confusion went over to the side of the victors. That sudden attack, and the declivity of the ground from which

* Id à Diis immortalibus precari, ne qui casus suum consilium laudabile efficeret. Nec ab hominibus salutaris sententia, nec ab Diis im piæ preces auditæ sunt. Liv.

A. R. 374.
Ant. C.
378.

it was made, obliged them to give way, and soon put them into disorder, whilst they were pushed at once both by the fresh troops of the Volsci from the camp, and those who at first had made a feint of flying, and now faced about on a sudden. It was not now a retreat, but a precipitate flight, on the side of the Romans.

At this moment, Camillus caused himself to be seen on horseback, and at the head of the reserved troops advanced to those who were flying. "Is this then," said he, "the battle you demanded with so much ardor? What God, what man, can you accuse of it? Was it not your own rashness that engaged you in it, and is it not now your abject fear that makes you abandon it so shamefully? You have followed another leader: now follow Camillus, and conquer as you used to do when I led you." Why do you cast your eyes towards your camp? None of you shall enter there except victorious. Shame stopped them at first. Then seeing their general, illustrious by so many triumphs, and venerable for his age, uniting his example with exhortations, and throwing himself into the hottest of the press, and where the danger was greatest, they reproached each other, and nothing was heard throughout the whole army but cheerful cries, and mutual exhortations to march against the enemy.

Furius, on his side, spared no pains to retrieve affairs. His colleague sent him to the horse to engage them to support the foot in so great a danger, and he was far from employing reproaches: his being an accomplice in their common fault, had lost him the necessary authority for reproving others. Instead of commands, he made use only of entreaties. He conjured them separately and in general, to spare him the just reproaches which might be made him for the bad success of that day, for which he was solely responsible. "Notwithstanding the repeated opposition of my colleague," said he, "I chose rather to be rash with the multitude, than wise only with him. What

A. R. 374.
Ant. C.
378.

ever may be the event of this day, Camillus will find his glory in it. But for me, the most unhappy of mankind, if the success of this battle be bad, I shall share the misfortune with the rest of the army, but the infamy of it will be all my own." Such moving complaints had their effect. The cavalry dismounted, as was frequently practised amongst the ancients, flew to the aid of the foot, and advanced fiercely against the enemy. That sight revived the courage of the Roman troops, which now surmounted all obstacles. The victory was complete. The Romans made themselves masters, not only of the field of battle, but the enemy's camp. The number of the prisoners was however greater than that of the slain.

Amongst the first were discovered some Tusculans, who confessed, that they had aided the Volsci by order of the public, and the authority of their magistrates. Camillus thought it incumbent on him to impart this news to the Senate in person, and set out for Rome, leaving his colleague to command in the camp. Every body expected from one so exact and severe as him, that he would demand justice for a fault which had exposed the commonwealth to such great danger, besides which his honour was in some measure concerned in it. It was generally agreed both in the army and at Rome, that the disgrace of the bad success in the beginning of the battle with the Volsci, was to be ascribed solely to Furius, and the glory of the victory to Camillus. The Senate, upon the report of the Tusculan prisoners, thought it necessary to declare war against Tusculum, and charged Camillus with that expedition, permitting him to chuse any one of his colleagues that he should think fit, to accompany him. Contrary to every body's expectation, he chose L. Furius; and by that action of generosity, at the same time lessened his colleague's shame, and acquired himself great glory. Even now, after so many ages, we cannot but admire and love a greatness of soul, that could so easily forgive injuries. Camillus

A. R. 374.
Ant. C.
378.

appears a greater hero by this moderation, than by his victories.

The Tusculans opposed the Roman arms by a method entirely new, that made it impossible to commit hostilities against them. When the troops entered their country, the inhabitants neither abandoned the places upon their march, nor desisted from cultivating their lands: a great number of citizens, dressed as in times of peace, that is to say, in robes, came out to meet the generals: and provisions in abundance were brought from the city and country into the camp. Camillus having encamped before the gates, which were open, and desiring to know, whether the same tranquillity prevailed within the walls as he had found in the country, he entered the city. All the houses and shops were open, and all the artificers intent upon their trades: the schools resounded with the noise of children at their books; the streets were full of people going backwards and forwards upon their occasions; without any sign of terror or even amazement, and not the least trace of war: every thing was entirely tranquil and pacific.

Camillus, surpris'd at such a sight, and overcome by the enemy's patience, caused the assembly to be summoned by the magistrates. "Tusculans," said he, "you are the only people, who till now have found out the true arms and forces capable of securing them against the anger of the Romans. Go to Rome and apply yourselves to the Senate. They will judge, whether your past fault deserves chastisement more than your present repentance pardon. I shall not prevent a grace, which you ought to hold only from the commonwealth. All that I can grant you, is the liberty of presenting your demands and making your request; to which the Senate will have such regard as it shall judge proper."

When the Tusculans arrived at Rome, and the magistrates of a city, so faithful a little before, were seen in the highest affliction at the door of the Senate, so moving a sight made a very strong impression upon the

the Romans, and audience was given them rather as allies than enemies. The Dictator of Tusculum spoke in these terms. "The condition in which you now see us, Fathers, is the same as that in which we went to meet your generals and army. You have declared war against us, you have entered our lands in consequence, without our having armed in any other manner than we are at this instant. Such has been, and such always will be, our behaviour, and that of all the Tusculans, except when we receive your orders to take arms, and to employ them for your service. We ought to return our thanks to your generals and troops, for believing their eyes rather than their ears, and for not having acted as enemies, where they found none to oppose them. We come to demand peace, which we have observed in respect to you, and to desire that you would carry the war into countries, where it is to be made. As for us, if we are to experience the force of your arms, we will experience it without resistance. Such is our resolution: and may it be as happy to us, as it proceeds from hearts sincerely attached to your interests. As to what relates to the accusations which have drawn your resentment upon us, tho' it would be superfluous to deny grievances by words that facts have so strongly contradicted: however, were they true, we believe, after having expressed so evident a repentance of them, that it would be safest for us even to confess them. You may suffer offences to be committed against you, whilst those who commit them think you worthy in consequence of such satisfaction." The Tusculans obtained peace for the present, and soon after the freedom of Rome.

Camillus, after having signalized his prudence and valour in the war with the Volsci, his extraordinary good fortune in the expedition against Tusculum, and his moderation and patience on both occasions, quitted his office with the highest glory.

A. R. 375.
Ant. C.

L. & P. VALERII, &c.

377.
Liv. l. 6.

c. 27—33.

During the three following years there was no event of any great importance. The people of Præneste, taking advantage of the domestic troubles, which began to agitate Rome in respect to the debts, advanced to the gates of the city, after having ravaged the neighbouring country. This sudden alarm occasioned a Dictator to be declared, who terminated the war by a battle near the river Allia, which was followed by the taking of Præneste, and of eight places in its dependence.

The perpetual enemies of Rome, the Volsci, in conjunction with the Latines, gave the Commonwealth some alarm, which was of no long duration, and had no consequence.

S E C T. III.

Law proposed by two Tribunes of the People concerning the distribution of lands, debts, and admitting Plebeians to the Consulship. The disputes are suspended by the arrival of the Gauls, who are defeated by Camillus. The same Camillus is elected Dictator, and terminates the divisions. The Senate consent, that one of the Consuls should be elected out of the Plebeians. A Plebeian Consul elected. Two new offices granted to the Senate, that of Prætor and that of Curule Ædile. The plague rages at Rome. Death of Camillus. Ceremony of the LECTISTERNIUM. Institution of the games called Ludi Scenici. Nail driven into the temple of Jupiter by the Dictator.

L. ÆMILIUS, &c.

A. R. 378.
Ant. C.

374.
Liv. l. 6.

c. 34—42.

DOMESTIC divisions ran very high at this time, occasioned at first by the debts. The poor citizens had contracted them long before on account of various misfortunes that had happened, and lastly through

through the necessity of paying a new tax laid on them for erecting the walls of the city, which the Censors caused to be rebuilt of hewn stone. The * creditors treated their debtors, who were adjudged to them according to the forms, with extreme cruelty. As they were utterly incapable of discharging themselves, they expiated by punishment what they could not pay in money. This general misery had dispirited the Plebeians to such a degree, and even the most considerable amongst them, that none of the latter presented themselves as candidates for the office of Military Tribune, an advantage that had cost them so much trouble, and so many conflicts to obtain. In consequence, no Plebeian had shared in it at the last election, and the Patricians seemed to have made themselves masters of that dignity for ever. But a slight occasion soon put an end to their joy, and made way, as often happens, for a considerable event.

M. Fabius Ambustus had two daughters. He was a person highly considered not only amongst the Patricians, of which order he was, but even the People, for whom he had not that haughty and contemptuous behaviour, which the rest of the nobility affected. He had married the eldest of his daughters to Ser. Sulpicius, who was one of the Military Tribunes for this year; and the youngest to C. Licinius Stolo, a very illustrious person, but a Plebeian: and this latter alliance, which Fabius had not despised, had augmented his credit amongst the People. One day † as the two sisters

* Cum jam ex re nihil dari posset, fama & corpore judicati atque addicti satisfaciebant, pœnaque in vicem fidei cesserat. LIV.

† Fortè ita incidit, ut in Ser. Sulpitii Tribuni militum domo sorores Fabiæ, cum inter se (ut fit) sermonibus tempus tererent, licitor Sulpitii, cum is de foro se domum reciperet, forem (ut mos est) virga percuteret. Cum ad id, moris ejus infueta, expavisset minor Fabia, risui sorori fuit, miranti ignorare id sororem. Ceterùm is risus stimulos parvis mobili rebus animo muliebri subdidit. Frequentiâ quoque prosequentium, rogantiumque num quid vellet, credo fortunatum matrimonium ei fororis visum: suique ipsam, malo arbitrio, quo à proximis quisque minimè anteiri vult, pœnituisse. Confusam eam ex recenti morfu animi cùm pater fortè vidisset, percunctatus Satin' salvæ, avertentem causam doloris (quippe nec satis piam adversus sororem,

A. R. 378.
Ant. C.
374.

sisters passed their time together at Sulpicius's house, the Lictor of that magistrate, who was returned home from the Forum, struck the door with a rod which he carried in his hand, as was the custom. The younger Fabia, to whom this ceremony was entirely new, expressing some fear, her sister laughed at her, and was surprised, that she was ignorant of that custom. The least things sometimes make great impression upon the minds of women. The younger Fabia was touched to the quick by her sister's derision; and it is probable also, that the crowd of officers, who attended the Military Tribune, and came to receive his orders, might make her sister's marriage appear more considerable than her own; and, through a way of thinking natural enough, though vicious, which makes people give place even to their nearest relations with great reluctance, that she conceived a disgust for her own condition; and that mortifying comparison sat heavy upon her, and made her melancholy. Her father happening to see her in this dejection, and asking her how she did, at first she concealed the cause of a chagrin, which argued little affection for her sister, and consideration for her husband. But at length, between questions and caresses, he got the secret out of her, and made her confess, that the cause of her grief was her having married below her rank, and entered into a family, into which honours and authority could have no access. Ambustus consoled his daughter, and bade her take courage; assuring her that she should soon see the same honours in her house, as she had seen in her sister's.

From thenceforth, though a Patrician, he declared openly against his own order, and entered into measures with his son-in-law, and L. Sextius, a young Plebeian of extraordinary merit, and one, who by the

nec admodum in virum honorificam) elicuit, comiter sciscitando, ut fateretur eam esse causam doloris, quod juncta impari esset, nupta in domo, quam nec honos nec gratia intrare posset. Consolans inde filiam Ambustus, bonum animum habere iussit. Eosdem propediem domi visuram honores, quos apud sororem videat. Liv.

L. PAPIRIUS, &c. Mil. Trib.

217

consent of the nobility, wanted nothing but illustrious birth to qualify him for pretending to the highest dignities of the state. The People had the affair of the debts extremely at heart, and could expect no redress in respect to them, except their own order had a share in the supreme authority of the government. They concluded that it was necessary to apply themselves seriously, and direct their whole thoughts and endeavours to this end. They represented to themselves, that after all the points, which the Plebeians had already carried against the Senate at different times, by their inflexible constancy in urging and supporting their pretensions, there was nothing, if they exerted themselves a little, which they might not attain, and that it would be easy to make themselves equal the Patricians in honours, as well as they did in merit. The first step they thought proper to take, was to cause Licinius and Sextius to be elected Tribunes of the People, in order to open themselves a way to all the other dignities by the means of that magistracy.

A. R. 378.
Ant. C.
374-

* L. PAPIRIUS.

L. MENENIUS, &c.

SER. SULPICIUS, &c.

A. R. 379.
Ant. C.
373.

C. Licinius and L. Sextius signalized their entrance into the Tribuneship by proposing several laws, all in favour of the people, and contrary to the interests of the Senate. The first regarded the debts, and enacted that interest of debts, which had already been paid, should be deducted from the principal, and that the remainder should be discharged in three years at three equal annual payments. By the second, all private persons whatsoever were prohibited to possess more than five hundred acres † of land; and it ordained, that all the land, over and above that quantity in the

* These Military Tribunes are not mentioned by Livy, but we find them in Diodorus Siculus.

† The acre [Jugerum] was two hundred and forty feet long, and sixscore in breadth. Quint. l. 1. Instit. c. 9. Var. l. 1. de re Rust. c. 10.

possession

A. R. 379.
Ant. C.
373.

possession of individuals, should be taken from them, and distributed amongst those who had none. By the third, it was decreed, that Military Tribunes should be elected no longer, but that the assemblies should proceed as formerly, to the election of Consuls, of which one for the future should always be a Plebeian. Never had so great a concern divided the two orders of the Commonwealth. It was attacking the Senate at once in whatever mankind most ardently desire, possession of lands, money and honours. The whole body of the Patricians rose up against these proposals. The People on their side supported the Tribunes with ardour. The city was in an universal tumult. Discord reigned universally: and even families were divided against themselves, every one taking side according to their views and interests.

The Senators, terribly alarmed by a kind of conspiracy, so violent and general, which they had so little expected, held many assemblies as well public as private, and after many and long deliberations, they found no other remedy for the evil, with which they were threatened, than to engage the Tribunes of the People to oppose the demand of their colleagues. This was a resource from which they had already derived great advantages, and which proved successful at this time. When Licinius and Sextius proposed the reading of their laws, and began to call upon the Tribunes to pass them by their suffrages, the Tribunes, who had been brought over by the Senate, immediately rose up, and declared in form that they opposed it. The two Tribunes renewed the same attempt in several assemblies, and always with as little success. The opposition of a single Tribune, which consisted only in one word, VETO, "I forbid it, I oppose it," was of such force, that, without being obliged to give his reasons for it, it equally put a stop to the resolutions of the Senate, and the proceedings of his colleagues the Tribunes.

The Laws were believed to be entirely rejected. Sextius then said, addressing himself to the Patricians:

"Since

“ Since you are for giving so much weight to the op-
 “ position of the Tribunes, it is well ; we consent to
 “ it, and shall make use of the same weapon for the
 “ defence of the People. Call then, Fathers, assem-
 “ blies for the election of Military Tribunes when
 “ you please. I shall take care that you shall not be
 “ so much delighted with the word VETO (I OPPOSE)
 “ which you now hear with so much pleasure from
 “ the mouths of our colleagues.” Their menaces were
 not without effect. No assemblies were held, except
 for the election of Ædiles and Tribunes of the Peo-
 ple. Licinius and Sextius, who were continued in the
 office of Tribunes, suffered no Curule magistrates to be
 created. The commonwealth continued five years
 complete in that situation, after which the Tribunes
 of the People consented, that Military Tribunes should
 be elected, and troops raised, to aid the Tusculans be-
 sieged by the inhabitants of Velitræ. The enemy
 were defeated, and the siege of Tusculum raised. Ve-
 litræ was afterwards besieged. The next year Military
 Tribunes were also elected.

A. R. 379.
 Ant. C.
 373.

M. FABIUS, &c.

A. R. 386.
 Ant. C.
 366.

The siege of Velitræ, where the army was, went on
 very slowly. A more important affair ingrossed the
 attention of the public. Sextius and Licinius, who
 had been continued in the Tribuneship for the eighth
 time, had found means to cause Fabius Ambustus,
 Licinius's father-in-law, to be elected one of the Mili-
 tary Tribunes. Encouraged by so powerful a support,
 and become, by long experience, very dexterous in
 managing the People, they promised themselves a
 speedy and happy success of their undertaking, and
 wearied the principal Senators, in the assemblies, with
 the warm interrogations they incessantly made them.
 “ Would you dare to demand, said they, whilst only
 “ two acres of land are assigned the People for their
 “ whole estate, that you should be permitted to have
 “ more than five hundred ; that each of you should
 “ alone

A. R. 386. " alone possess almost as much as three hundred citi-
 Ant. C. " zens together, whilst a Plebeian has scarce room
 366. " enough for a little house and a grave? And would
 " you have the people betrayed and crushed by usury,
 " instead of discharging themselves by paying only
 " the principal of their debts, continue to be laid in
 " irons, and given up to slavery and punishment; that
 " crowds of them should every day be adjudged to
 " their merciless creditors; that the homes of the
 " nobility should be filled with prisoners, and that
 " the house of every Patrician should be a private
 " goal?"

They added, " That the only remedy for so many evils, was to pass a law, that for the future one of the Consuls should necessarily be chosen out of the people, who might be the agent of their counsels, and the protector of their liberty. That what had happened in respect to the Military Tribuneship, to which no Plebeian had been admitted during more than forty years, though the entrance had all that time been open to them by the laws, instructed them, that the choice of a Plebeian Consul ought not be left to the freedom of suffrages. That they ought not to reckon Kings truly expelled Rome, and their liberty established upon firm and solid foundations, till the People were in assured possession of the Consulship; because till then they would not be in a state of perfect equality with the Patricians, and divide with them all that distinguished them hitherto from the People, command, honours, military glory, and nobility: advantages, which from thenceforth they would begin to enjoy themselves, and would transmit with still greater lustre to their posterity."

When the Tribunes saw, that this kind of discourse was favourably received, they proposed a new law, which was, that instead of Duumviri, Decemviri might be appointed for keeping the books of the Sibyls; that is to say, ten priests instead of two, of whom half should be chosen out of the order of the People, and the other half out of the Senators. They could carry

no point this year. Sextius and Licinius were continued in the Tribuneship.

T. QUINTIUS.

SER. CORNELIUS, &c.

A. R. 387.

Ant. C.

365.

From the beginning of the year, the dispute concerning the laws was urged to the last extremity. The Senators perceived, that the two Tribunes, authors of the laws, were resolved to go through with them, notwithstanding the opposition of their colleagues. Truly alarmed at so tenacious a perseverance, they had recourse to the two last refuges of the state, the Dictatorship, and Camillus. Camillus appointed L. Æmilius general of the horse. The two Tribunes on their side armed themselves with courage against so terrible an opposition, and prepared to contend for the People with invincible constancy. The Dictator, surrounded by a troop of Patricians, entered the Forum, and seemed to breathe nothing but terror and menaces. The attack began at first between the Tribunes; the one side proposing, and the other prohibiting the laws; but with this difference, the latter had only the privilege of their office for them, whereas every thing favoured the former, the nature of the laws themselves, and the inclination of those to whom they were proposed. The first tribes called upon to give their suffrages, accepted them without hesitation, in the usual form. * "Let it be according to your proposal." Camillus then broke silence: "Romans, said he, since the licentiousness, and not the authority, of your Tribunes governs you, and you now abolish the right of opposition, which you formerly obtained by your retreat to the sacred mountain, in the same violent manner as you acquired it; in quality of Dictator I shall take upon me the defence of it, as well for your interest, as that of the Commonwealth. If Licinius and Sextius will comply with the opposition of their colleagues, I shall not inter-

* Uti rogas, that is, Fiat, uti rogas.

" pose

A.R. 387. "pose my authority in your assemblies, and shall
 Ant. C. "leave you to proceed in them with entire liberty:
 365. "But if your Tribunes presume to act here, as in a city
 "taken by storm. I shall not suffer the Tribunitian
 "power to work its own destruction." As the Tribunes, with a contemptuous air, pursued their point, Camillus ordered his Lictors to clear the Forum, and threatened to list all the youth, and to march them immediately out of the city. This menace alarmed the multitude excessively, but only enflamed the courage of their leader.

Before victory declared for either side, Camillus abdicated the Dictatorship, whether on account of his great age, or perhaps remembering his banishment, he was unwilling to enter into new conflicts with a furious people; or which seems most probable to Livy, because he had been informed, that there had been some defect in the manner of taking the auspices, when he was created Dictator. It is sufficiently known to what an height of superstition the Romans carried these scrupulous observations. If the augur, in his preparatory prayers, pronounced one single word instead of another, if he omitted any of the formalities prescribed for this ceremony, and the number of them was great; it sufficed for declaring void the deliberations or elections made in consequence of that act of religion. Certain authors however, according to Livy, attributed the abdication of Camillus to a fine of * five hundred thousand Asses, which the people, on the motion of the Tribunes, laid on him in case he exercised any function of his office. But what seems to refute this manner of relating the fact, is his accepting the Dictatorship again; and that at a time, when the affair of the Consulship was not determined. Besides † which, we see, that in all the warmest divisions which afterwards arose, the authority of the Dictatorship was always respected, and not the least attempt

* About
 1250 l.
 sterl.

† Quoadusque ad memoriam nostram Tribunitiis Consularibusque certatum viribus est, Dictaturæ semper altius fastigium fuit. Liv.

ever made in violation of it. However it were, another Dictator was declared almost immediately afterwards: this was P. Manlius.

A. R. 387.
Ant. C.
365.

During this short interval some assemblies of the People were held, in which a diversity of interest and taste between the People and the Tribunes was perfectly manifest with respect to the several heads of the law in question. The latter had properly no other view, than to open themselves a way to the Consulship, and proposed the distribution of lands, and the reduction of debts first, only to pass the last article by the help of the other two, and to interest the People to that effect: it was for this reason they had agreed to tack the three proposals together. The multitude, on the contrary, who passionately desired the distribution of lands, and relief in respect to their debts, were next to indifferent about the Consulship, which could never regard any but the most powerful of their order. Accordingly in the assemblies held on that head, the two first points were received, and the third, relating to the Consulship of the Plebeians, † rejected. The affair would have terminated in this manner, if the Tribunes had not declared, that they would not separate the three articles in deliberation, and that it was necessary to resolve to pass them all together. The Dictator Manlius seemed to give an advantage to the People, by appointing a Plebeian his general of the horse, of which there had been no example till then. He chose C. * Licinius, who had been Military Tribune. The Senators were exceedingly offended on that occasion. The affair was not terminated this year. When the question was to create Tribunes of the People for the ensuing year, Licinius and Sextius, dissatisfied with the indifference the multitude had expressed for their personal interest, in affecting an unwillingness to be continued, acted and spoke in effect

† The form was, *Antiquo*: that is as much as to say, “*antiqua probo, nihil novi statui volo.*”

* Plutarch erroneously confounds him with C. Licinius Stolo, Fabius's son-in-law.

A. R. 387.
Ant. C.
365.

in the most proper manner for making the People grant what they most ardently desired, though they seemed to refuse it. They represented, " That this was the ninth year they had been in arms against the Patricians, not without great danger to their own persons, but without any advantage to the public. That they every day saw both the laws they had proposed, and the whole force of the Tribunitian authority, lose ground through the various artifices of their enemies, and still more through the softness and indolence of the People. That, if they would, they might see in an instant, on the one side the city delivered from merciless creditors, and on the other the lands taken from those who possessed them unjustly. But that such important services well deserved some acknowledgment for those who did them, and that it did not consist with the generosity of the Roman people to be attentive solely to their own interests, and to neglect those of their defenders, by excluding them from honours and dignities. That therefore it was proper for them previously to deliberate amongst themselves upon the choice they should think fit to make, and afterwards declare their opinion in the assembly for the election of Tribunes. That if they resolved to accept the three heads of the law together, they might continue them in the Tribuneship: but that otherwise, it was useless to expose them for no end to the malice and hatred of the Patricians."

Whilst the rest of the Senators were struck mute with amazement on hearing a discourse so full of boldness and arrogance, Appius Claudius Crassus, the Decemvir's grandson, broke silence, not so much with hopes of success, as to vent the just indignation which he could no longer contain, and expressed himself much to the following effect. " I am not ignorant, Romans, " of the usual objection to our family in respect to its " attachment to the Senate, and its opposition to the " People. But I know also, that as full of respect " and gratitude for the august body which has adopted it as it has always been, it never wanted zeal for " the

the true interests of the People, though it has sometimes been forced to declare against their desires, or rather against the injustice of those who abused their credulity and confidence. And it is to this sad necessity I am now reduced. Can one, whether a Patrician or Plebeian, see without indignation the despotic power which Sextius and Licinius have exercised over you for nine years successively? Is there any thing dearer to you than your liberty? And yet they have the boldness to deprive you of it, and to declare plainly, that they will not leave you the freedom of suffrage in your assemblies and deliberations. You are not to continue us in the Tribuneship, say they, but upon a certain condition; and that modest condition is, that you shall accept our laws all together, whether they please you or no, whether they appear useful to you, or pernicious. Could the Tarquins themselves talk in a more absolute strain? Either receive the whole, or I propose nothing. This is not unlike offering a man pressed with hunger bread and poison, and obliging him either to take both together, or neither the one nor the other. If some Patrician, or which is still more odious to some people, if some Claudius, should hold such discourses to you, would you suffer it, Romans? And will you always then be more attentive to the persons who speak than things in themselves; will you always be inclined to receive favourably what your own magistrates propose, and to reject every thing from ours? For to come to the point, does not the article of the law, which you refuse to accept, and your Tribunes insist upon so strongly, tend directly to deprive you of the freedom of your suffrages? They are for obliging you necessarily to elect one of the two Consuls out of the Plebeians: In consequence of which, should conjunctures arise, wherein the good of the state required that two Patricians should be created, you would not be at liberty to chuse them. If your Sextius on one side, and the great Camillus with

A. R. 387. " another Patrician on the other, demanded the Con-
 Ant. C. " sulship, you would be obliged, however against yo
 365. " will, to elect Sextius, and Camillus would run th
 " risque of being rejected. You may, if you pleas
 " chuse two Plebeians Consuls, but not two Pat
 " cians. Is this establishing the perfect equality,
 " much boasted of by your Tribunes, between t
 " two orders of the state? But, by this new regul
 " tion, what becomes of the auspices, upon which
 " our ceremonies, enterprizes, and religion, a
 " founded, which are as ancient as Rome itself, a
 " have always been in the hands of the Patricians
 " What signifies it, says somebody, whether t
 " chickens eat, whether they come sooner or later o
 " of their coop, and whether the birds sing or no
 " * These are petty observances. Agreed they are
 " but it was by not despising these petty things, th
 " our ancestors raised Rome to its present heig
 " of greatness. As for us, we now profane all t
 " ceremonies of religion, as if we had no occasion
 " the favour and protection of the Gods. These, R
 " mans, are things that merit your serious attentio
 " Whatever resolution you may take, I hope the Go
 " will prosper and render it for the good of the Co
 " monwealth."

Appius's speech had no other effect than to defer the holding of the assembly for passing the law. The Tribunes were re-elected for the tenth time, and confined themselves to passing the law concerning the Decemviri, or ten keepers of the Sibyl's books. Five of them were elected out of the Patricians, and the other five out of the People. This seemed to them a step towards attaining the Consulship. Contented with this victory, they agreed to the election of Military Tribunes.

* Parva sunt hæc : sed parva ista non contemnendo, majores nos maximum hanc rem fecerunt. Nunc nos, tanquam jam nihil per Deorum opus sit, omnes ceremonias polluimus. Liv.

A. & M. CORNELII, II. &c.

A. R. 388.

Ant. C.

364.

Liv. l. 6.

C. 42.

Plut. in

Camill.

P. 150.

The siege of Velitræ, which had been spun out to some length, gave little pain, because there was no reason to doubt its success. A more just alarm suddenly spread, and gave the city great disquiet. Certain advice came that the Gauls were advancing by long marches towards Rome, to avenge the defeat of their countrymen.

The fear of a misfortune like the former suspended enmity, and the public good was the sole object of great and small. Without any delay, Camillus, always considered in times of danger as the tutelary genius of Rome, was elected Dictator for the fifth time: he was then almost fourscore years old. Notwithstanding which, seeing the necessity and great danger of the commonwealth, he made no excuses as before, but accepted that office without hesitation, and assembled his army.

As he knew by experience that the principal force of the Gauls consisted in their swords, which they used after the manner of Barbarians, that is to say, heavily and without address, cutting downright before them, he caused helmets of well-polished steel to be given to most of his troops, in order that they might either break the swords of the enemy, or make them only bounce without effect: he caused also their bucklers to be bound round the edges with borders of iron, wood not being strong enough to resist the blows: and lastly, he taught them to use long javelins, and by thrusting them under the swords of the Barbarians, to prevent their downright blows.

The Gauls were already upon the banks of the river Tiber, with an army so laden with booty, that it could scarce march. Camillus took the field at the head of his troops, and encamped upon an hill of a very easy declivity with many hollow places upon it, so that the least part of his army was not seen, and the rest seemed to have retired to the eminences through fear.

A. R. 388.
Ant. C.
364.

To confirm the enemy still more in that opinion, he took no care to repulse them when their parties came to forage at the very foot of the hill; but kept close in his camp, which he had intrenched with great care. When he saw most of their troops dispersed for forage, and those that remained in their camp, full of meat and wine, and scarce in a condition to fight, he detached his light-armed infantry before day to insult them, and at day-break made his heavy-armed troops march down into the plain, where he drew them up in order of battle. They were very numerous, and full of ardour, contrary to the expectation of the Barbarians, who believed them no great body, and much discouraged.

The first thing that daunted the Gauls, was to see that the Romans dared attack them without being forced to fight. The light-armed foot charged them before they could either post themselves, or draw up in battle, pushed them vigorously, and forced them to fight in their disorder. Camillus in the mean time with the main body of the army, attacked them with impetuosity. The Barbarians advanced fiercely to meet him with their swords lifted up. But the Romans stopped them with their javelins, and as they opposed their strokes with bodies covered all over with iron, the swords of the Gauls bent and lost their edges. For as their temper was soft, and the iron of which they were made little hammered, those effects were easily obtained in a manner necessary. Besides which their bucklers, pierced through and stuck with the javelins that continued hanging in them, were so heavy when the Romans drew them back, that not being able to hold them up any longer, they abandoned their own arms in order to throw themselves upon those of the enemy, and to pull their javelins out of their hands: at which time the Romans, seeing them uncovered, employed their swords with success. They cut the first ranks to pieces: the rest fled, and dispersed themselves over the plain, without any thoughts of retiring to their camp, which they had taken no care to intrench, for

sure did they believe themselves of victory. The honour of a triumph was granted the Dictator.

This battle is said to have been fought twenty-three years after the taking of Rome, and to have been the first success that encouraged the Romans not to fear the Gauls, who till then had been very terrible to them. For they were persuaded, that the first victories they had gained over them, were not the effect of their valour, but of some unforeseen accidents, and especially of the diseases, which had weakened the army of the Barbarians. Their fear of them was so great, that in the law which dispensed with the going to war of priests, those with the Gauls were excepted. * Cicero, where he observes that Gaul from the beginnings of the empire, had always appeared very formidable to Rome in the eyes of the judicious, adds, that it was not without the peculiar providence of the Gods, nature had fortified Italy with the Alps as with a barrier and intrenchment. For, says he, if that entrance had been open to the multitude of so barbarous a nation as the Gauls, Rome had never been the seat and capital of the greatest empire of the universe.

This victory over the Gauls was the last military exploit of Camillus: the taking of Velitræ was a meer effect of this expedition, which place surrendered without fighting. But he had a terrible conflict still to sustain at Rome.

The Tribunes considered the victory lately gained over the enemies of the state as nothing, except themselves obtained one also over those whom they regarded as their domestic enemies, that is to say, over the Patricians. The Senate, the better to make head against them, prevailed upon Camillus not to divest himself immediately of the Dictatorship, in hopes that by the help of his supreme authority he might contend

* Nemo sapienter de rep. nostra cogitavit jam inde à principio hujus imperii, quin Galliam maximè timendam huic imperio putaret.—Alpibus Italiam munierat ante natura non sine aliquo divino numine. Nam si ille aditus immanitati multitudinique patuisset, nunquam hæc urbs summo imperio domicilium ac sedem præbuisset. Cic. orat. de Pro-Conf. n. 33 & 34.

A.R. 388.
Ant. C.
364.

more successfully with the Tribunes. The Forum was the field of battle, where the two Orders of the State, like armies drawn up on both sides under their respective leaders, were upon the point of deciding the most important affair that had ever been transacted in the assembly of the Roman People. The Tribunes, determined to conquer or perish, proposed their law with an intrepid and triumphant air, and called upon the Tribes to give their suffrages. Camillus, surrounded with the whole Senate, opposes their proceedings, and prevents the people from voting. It was hoped, that Camillus's personal authority, and that of his office, would reduce the multitude to reason. But the Dictatorship, too often employed, had lost abundance of the credit which it had acquired at first by the singularity of the office, and the sovereign authority annexed to it. Sextius and Licinius regarded no longer either the laws, or the first dignity of the Commonwealth. An horrible noise and tumult arose throughout the whole Forum, which seemed to denounce an approaching and bloody action. And indeed the affair seemed incapable of terminating otherwise, if the Dictator had been as warm and violent as the Tribunes. He quitted the Forum, without quitting his office however, and taking the Senators with him, went to the Capitol. There, he implored the Gods to appease so great a disorder, and to avert the fatal effects of it. He made a vow to build a temple to Concord, as soon as the troubles should be appeased.

When the Senate came to deliberate upon the occasion, diversity of opinions occasioned great debates; but at last the gentlest and wisest prevailed. This was, to comply with the People, and to permit them to chuse one of the Consuls out of their own body. As soon as the Dictator had pronounced that decree in full assembly, it gave the People so much joy, that they were reconciled that instant with the Senate, and accompanied Camillus to his house with great acclamations and applauses. The Consulship had been instituted

tuted an hundred and forty-three years before this law for admitting the Plebeians into it.

The next day the Senate and People assembled, and decreed that to accomplish Camillus's vow, and preserve the remembrance of this happy reconciliation, the temple of Concord should be built in a place in sight of the Forum and Comitium : That a day should be added to the festival called *Feriæ Latinæ*, which from thenceforth should continue four days : That without losing a moment's time sacrifices should be offered in all the temples, and that every Roman without exception should that day wear a wreath of flowers.

Camillus afterwards held the assembly for the election of Consuls, and Marcus Æmilius was elected on the side of the Patricians, and L. Sextius on that of the People.

Thus ended the warmest and most violent division that had hitherto arose between the Senate and People. It must be confessed, that if the Commonwealth had at that time had a Dictator as violent, and as obstinately tenacious of his purpose as the two Tribunes of the People were, it must have come to blows, to cutting of throats, and extinguishing divisions in the blood of the citizens. The wisdom of the Senate prevented so fatal an extremity. It is an honour to give way in such conjunctures. The vanquished have then glory, and the victorious shame.

What a pity it was that the Roman people were not enlightened by the knowledge of true religion ! But in the midst of their darkness, how much do they reproach us ! When Camillus sees every thing desperate on the side of men, he has recourse to the Gods, and expects every thing from their aid. When tranquillity is re-established, the first care of the whole people is to run to the temples, to express their lively and instant gratitude to the same Gods.

A. R. 389.
Ant. C.
363.

M. ÆMILIUS.

L. SEXTIUS.

This year was remarkable for the Consulship of what Livy calls a New Man, which term I shall presently explain; and the institution of two new magistracies, the Prætorship and the office of Curule Ædiles.

The Romans called him a New Man, *novus homo* of whose ancestors none had been in the Curule offices so called because they gave those who exercised them a right to be carried in ivory chairs, and to sit in them in the assemblies. The descendants of those, who had passed through these charges, were deemed and termed Noble, themselves, their children, and all their posterity, and formed at Rome what was called the Nobility. They had also a right to Images; that is to say, to expose in the most conspicuous part of their houses the Images or portraits of such of their ancestors as had exercised those offices, and to have them carried in certain public ceremonies, as in the funerals of their relations. These dignities were the Consulship, the Censorship, the Dictatorship; also the Curule Ædileship and Prætorship, of which last we shall soon see the institution. The division which began between the Patricians and Plebeians, subsisted almost on the same foot between the noble and those who were not so, breaking out more or less according to the difference of times and occasions.

What I have just said helps us to understand what I have repeated in the harangue of Sextius and Licinius, that the Consulship was the only thing that was wanting to make the People equal the Patricians; that it would * put them into possession of all that distinguished the latter; and give them command, honours, military glory, and nobility, in common with the Se-

* Quippe ex illa die in Plebem ventura omnia, quibus Patricii excellant: imperium atque honorem, gloriam belli, GENUS, NOBILITATEM.

M. ÆMILIUS, L. SEXTIUS, Consuls.

A. 363.
Ant. C.

nators. The People therefore became Noble by the Consulship, and all the other Curule offices, but noble Plebeians, distinguished from the Patricians, tho' generally united with them in respect to interest and manner of thinking.

L. Sextius was the first Plebeian elected Consul. He might boast with more reason than * Cicero did afterwards, of having at length, after many conflicts, forced the barriers which the nobility had till then laid in the way of the Plebeians, and of having rendered the Consulship no less accessible to merit than birth. The People, in gratitude for an advantage so honourable to their order, granted the Senate permission (1) to create a new magistrate to administer justice in the city, who was called Prætor. This was a part of the Consul's functions dismembered; avocations abroad often not permitting him to discharge that important part of his office.

The Senate also acquired a second magistracy this same year: this was the Curule Ædileship. There were already two Ædiles elected out of the People, of whom we have spoken at the time of their institution. The latter refusing to act in making preparation for celebrating the great games which Camillus had vowed, certain young Patricians took that care upon themselves with joy, and the Senate laid hold of that occasion for establishing a new dignity peculiar to their own order, which afterwards became very considerable. I shall have occasion to explain the functions of these two new offices; those of the Prætorship at the end of this book, and of the Ædileship in the introduction to the next. Spurius Furius, the son of Camillus, was appointed Prætor; and Cn. Quintius Capitolinus with P. Cornelius Scipio, Ædiles. The People, not

* Cum ego tanto intervallo claustra ista nobilitatis refregissem ut istius Consulatum posthac—non magis nobilitati quam virtuti pateat; non arbitrabar, &c. PRO MURÆN. n. 17.

(1) Others say, that the Senate would not confirm the election of Sextius, till the Dictator Camillus, by way of expedient, proposed the creation of a PRÆTOR, to discharge the civil functions of Consul, and always to be elected out of the Patricians.

GENUCIUS, SERVILIUS, Consuls.

to give place to the Senate, created a Plebeian Prætor in process of time, and the Ædileship became common also to both orders.

A. R. 390.

Ant. C.

362.

Liv. 1. 7.

c. 2 & 3.

L. GENUCIUS.

Q. SERVILIUS.

The three following years were hardly remarkable for any thing except the plague, which carried off a great number of citizens, several magistrates, and which most affected the commonwealth, the great Camillus, whose death, though it happened at a very advanced age, was still, with respect to the wishes of all Rome, in some measure immature, so highly was he esteemed and revered *. He was truly singular and super-eminent in every different condition of his fortune. The principal citizen of the commonwealth both in war and peace before his banishment; and still more illustrious during it, both from the ardor with which Rome, taken by the Gauls, recalled him to her aid, and his good fortune of being re-instated in his country only to re-instate his country itself in her former condition. Always equal to himself, he afterwards sustained the lustre of his exalted reputation during the twenty-five years he survived, and was judged worthy of being considered after Romulus as the second founder of Rome.

The plague continuing at Rome, to appease the Gods, recourse was had to the ceremony called Lectisternium, which had been employed but † twice hitherto, and consisted in preparing beds in the temple of the Gods, in order for offering sacrifices and celebrating feasts there in honour of them. We have spoken of this solemnity above.

* Fuit enim verè vir unicus in omni fortuna: princeps pace bellique, priusquam exulatam iret: clarior in exilio, vel desiderio civitatis, quæ capta absentis imploravit opem; vel felicitate, qua restitutus in patriam secum patriam ipsam restituit. Par deinde per quinque viginti annos (tot enim postea vixit) titulo tantæ gloriæ fuit, dignusque habitus, quem secundum à Romulo conditorem urbis Romanæ ferrent. Liv.

† Livy does not mention the second time this ceremony was used.

As the plague did not cease, the games called *Ludi Scenici* were instituted in honour of the same Gods, that is to say, theatrical representations, a new kind of diversion to a warlike people, who till then had no other games nor shews except those of the Circus. These theatrical games, which at their beginning were of a gross and rustic simplicity, have been carried in our times, says Livy, to such an excess and madness of expence, as the revenues of the most opulent princes would scarce suffice to defray. The reader may consult what has been said upon these games in the Ancient History, and I shall have occasion to speak of them again in the sequel.

All these methods procuring no abatement of the evil that grievously distressed the city, and people's minds being more tormented by the superstitious enquiry after remedies, than their bodies were by the disease, somebody remembered an ancient very odd ceremony, for which it is hard to give any reason. It consisted in driving a nail into a temple: *Clavum figere*. The Volstinians, a people of Etruria, were said to have used it of old, for making the number of years, and that it passed from them to Rome: this nail was called *clavis annalis*. According to the law, this nail was to be driven upon the ides of September, that is to say the 13th, by the principal magistrate of the commonwealth. On the occasion of the plague, which differs from that I have just related, a Dictator was expressly nominated: this was L. Manlius Imperiosus, who chose L. Pinarius for his general of the horse. He affixed the nail in the right side of the temple of Jupiter. The disease undoubtedly could not hold out against so efficacious a remedy. The same ceremony was again employed about thirty years after, that is to say, by way of remedy against a strange alienation of mind, which was considered as the cause of the multiplication of crimes in the city.

Liv. l. 8.
c. 18.

Brief description of the functions of the Prætors, and of the manner of administering justice at Rome.

IT* has with reason been said, that THE MAGISTRATE IS A SPEAKING LAW, AND THE LAW A MUTE MAGISTRATE. And indeed laws, however excellent they may be, not being capable of themselves to apply their decisions to particular cases, and still less to make themselves respected, would remain without force and effect, if they did not borrow a voice to serve them as an interpreter to explain their will, and an authority to enforce obedience to them. These they have from the magistrate, who properly speaking is the minister of the law. The People, or the Prince, in a word, the State arm him with sovereign power, of which God himself is the source and principle, and confides to his cares, the fortunes, reputations, and even lives of his citizens†, to dispose of them, not according to his pleasure, but the spirit and intent of the laws.

Amongst the Romans, the magistrate peculiarly charged with the keeping, maintenance, and execution of the laws, and the administration of justice was called the Prætor.

In the origin, and according to the force of the word, the name Prætor signifies commander. It was given at first to the Consuls, and in an ancient law cited by Livy, we find the term Grand Prætor, Maximus Prætor, to express the person invested with the first office of the state. This was afterwards determined to signify a magistrate, whose functions were a part dismembered from those of the Consul.

As the Consulship included the civil and military authority, the Prætorship also united those two powers in itself, though at first it may appear to have been

PRÆTOR
qui præ-
est.
Liv. l. 3.
c. 55.
Id. l. 7.
c. 13.

* Verè dici potest, magistratum esse loquentem legem, legem autem mutum magistratum. Cic. de leg. l. 3. c. 2.

† Ubi est sapientia judicis? In hoc, ut non solum quid possit, sed etiam quid debeat, ponderet; nec quantum permissum memineret solum, sed & quatenus commissum sit. Cic. pro Rab. Post. n. 12.

instituted principally for administering justice. It is in this latter view, that I shall consider it in this place. For as to military authority, it differed only from the Consulship in the Prætor's being inferior and subordinate to the Consul, and receiving his orders, when both happened to be in the same army.

The administration of justice was at first confided to the Consuls. But as they had too great a multiplicity of affairs upon their hands, and wars often obliged them to be absent from the city, the Patricians prevailed, when the Plebeians were admitted to the Consulship, to have this part of the Consular power confided to a particular magistrate, to be elected out of their order with the name of Prætor. This new office commenced the 389th year of Rome. An hundred and twenty years after, that is to say, the 510th year of Rome, as the number of its inhabitants was much increased, and abundance of strangers resided there, which multiplied affairs, a new Prætor was created. Of those two magistrates, the one adjudged Liv. Epit. the differences which arose between the citizens, and ¹⁹ was called Prætor Urbanus: the other, causes between the citizens and strangers, and was called Prætor Peregrinus. The circumstances in which the second Prætor was created, give reason to think, that the design also was to give the Consul charged with the war against the Carthaginians an assistant. And accordingly that second Prætor, the first year history mentions him, accompanied the Consul Lutatius to the war, and had even a great share in the famous victory near the islands Ægates.

Some few years after the institution of the Prætor Peregrinus, as the two magistrates, whose province it was to administer, were still not enough for trying all the causes, the People, on the motion of the Æbutii, two of their Tribunes, instituted a new tribunal of Judges. Five were chosen out of each of the Tribes, of which the number was then twenty-five, so that they made in all an hundred and five: but to express them in a rounder and more easy manner, they were called

FUNCTIONS OF THE PRÆTOR.

called Centumviri; and they retained that name afterwards, even when their number rose to an hundred and fourscore. The Prætor at first referred only the most common affairs to them: but long after, and principally under the Emperors, the most important causes were tried at their tribunal. * Quintilian tells us, that in his time the Centumviri, esteeming themselves considerable judges, expected that the pleadings before them should be very elaborate, without which they believed themselves treated with contempt.

Prætors were also appointed for administering justice in the provinces, in whom the whole authority of the government vested. Their number augmented in proportion to the new conquests made by the Roman people. Sicily and Sardinia falling into their hands, two new Prætors were created to govern them the 525th year of Rome. Two more were created for the two Spains, after they were conquered. L. Cornelius Sylla the Dictator added four to their number, according to Pighius.

Whilst Rome had only one Prætor, the Patricians always retained that dignity: the Tribunes would have been ashamed to demand, that the Senate should be entirely divested of it. But when their number was augmented, their ambition awakened, and did not let them continue tranquil. Nothing was wanting to compleat their victory over the Patricians except carrying this place from them. After many conflicts, they had made themselves masters of the Curule Ædileship, the Consulship, the Dictatorship, and the Censorship. The Senate, weakened and discouraged by so many losses, was no longer capable of opposing their enterprizes. It was necessary to give way, and to admit the Plebeians also to the Prætorship. This change happened in the 418th year of Rome.

Liv. l. 8.
c. 15.

* Jam quibusdam in judiciis, maximeque capitalibus, & apud Centumviros, ipsi iudices exigunt sollicitas & accuratas actiones, contemnique se, nisi in dicendo etiam diligentia appareat, credunt; nec doceri tantum sed etiam delectari volunt. QUINTIL. l. 4. c. 1.

FUNCTIONS OF THE PRÆTOR.

239

The Prætors, as well as the Consuls, exercised their office one year. They were elected by the People in the assemblies called *Comitia Centuriata*. Lots determined their provinces. They had almost all the same ensigns of honour as the Consuls; the robe bordered with purple, the Curule chair, the Lictors and fasces*, two in the city, and † six in the provinces.

The Prætor of the city, during the absence of the Consuls, supplied their place, presided in the Senate, and in all public affairs, and had abundance of other prerogatives above their colleagues.

The principal function of the Prætors was the administration of justice. They did not try causes and pass sentence themselves, at least commonly, but they presided at trials, and in all things relating to judicature.

A certain number of citizens were chosen every year to exercise their judiciary functions in conjunction with them. They were elected, at different times, out of different bodies of the State.

At first none but Senators were chosen judges, and certainly they could not be elected out of a more august and venerable body than the Senate was at that time. The judges were of the order of Senators, but it was not the Senate that passed judgment. The deliberations of that august body were confined to the affairs of State.

They continued in the sole possession of the judicature from the foundation of Rome till the passing of the law *Sempronia* by C. Sempronius Gracchus in the 630th year of Rome. That Tribune of the People, resolving to ruin the authority of the Senate, to whom he was a declared enemy, undertook to deprive them of the administration of justice, upon pretence of the crying injustice committed by some Senators, who had suffered themselves to be corrupted by bribes, and had acquitted criminals notoriously convicted of

Appian de
bell. civ.
p. 362.

* *Anteibant Lictores*—ut hic Prætoribus anteeunt, cum fascibus duobus. CIC. 2. in RULL. n. 92.

† *Sex Lictores circumstant valentissimi*, &c. VERR. 7. n. 151.

having

FUNCTIONS OF THE PRÆTOR.

having ruined several provinces by horrible exactions. Gracchus found no difficulty in succeeding in his design, and transferred the administration of justice from the order of Senators to that of the Knights, which was a kind of middle order between the Patricians and Plebeians. These judges were in number three hundred, as the Senators had been whom they succeeded.

From the law Sempronia to the death of Cæsar and the times that succeeded it, there had been many variations in respect to the choice of judges. The Knights did not long engross the sole administration of justice. They were sometimes obliged to divide it, and sometimes excluded from it. Pompey added a third order of judges: these were the Tribunes, or keepers of the treasury, *Tribuni Ærarii*. Cæsar at length associated the Centurions with them, and Antony carried things to such an excess, as to give even private soldiers admittance to this office. Justice was best administered, when the two orders of Senators and Knights were associated as Judges.

It is remarkable, that in all times when disorder and licentiousness were not excessive, peculiar attention was had, not only to the merit and probity, but the estate and fortune of the judges; no doubt with the view of sparing them the temptation of being corrupted by presents, to which they might have been exposed, if their domestic affairs were in a bad condition.

The Prætor chose the judges yearly out of the Order, and to the number directed either by the law or custom actually in force. The list on which the names of the judges who were to act for one year were set down, was called *Decuria*. The Prætor afterwards distributed them into classes, according to different matters, and kinds of trial, which were also expressed in the law. This division was determined by lot.

There were two kinds of trials. The one related to civil affairs, the causes of private persons, *Judicia privata*; the others had a direct or indirect relation

to

to the interests of the public, *Judicia publica*. The Prætors at first took cognizance only of private affairs: The people reserved others to themselves. They appointed commissioners to preside in this kind of causes, who were called *Quæsitores*, *Quæstores*: in which the magistrate himself brought these affairs before the People. Private causes were very seldom brought before them.

The * magistrates usually, for they only had that right, cited persons accused of different crimes that had always some relation, direct or indirect, to the State, before the tribunal of the People. The great Camillus though innocent, was summoned before it by the Tribunes as having appropriated part of the spoils of Veii to his own advantage.

The proper object of this Tribunal of the People was what was called *crimen perduellionis*, a crime against the State: which included whatsoever infringed the public liberty, and proceeded from a spirit of enmity to the State. *Perduellio* was an old word, that signified *hostis*, enemy. Some authors confound this crime with that called *crimen majestatis*.

The usual punishments inflicted were fines, banishment, and death. With whatever warmth the Roman People persecuted a citizen, who was become odious to them, for having opposed their supposed interests with too much vigour, they were very moderate in their condemnations, which seldom exceeded a fine.

The word Banishment was not expressly used either in their laws or trials. The person condemned was only "prohibited the use of fire and water," which necessarily implied banishment. The People suffered the accused to prevent judgment, even when it extended to death, and to exempt himself from it, by retiring into voluntary banishment. This made † Cicero

* I include the Tribunes of the People in this term, though properly speaking, according to Plutarch, they were not magistrates.

† *Exilium non supplicium est, sed perfugium portusque supplicii. Nam qui volunt poenam aliquam subterfugere, aut calamitatem, eo*
Vol. II. R solum

FUNCTIONS OF THE PRÆTOR.

cero say, that exile was not punishment, but a port an asylum, where the accused found security against punishment. The cases however are to be excepted from this indulgence, whereby the public liberty was endangered: for then they shut their eyes to all other objects, and gave intirely into just severity, as in the affair of Manlius, and others of the like nature.

Liv. l. 3.
13, and
56.

It appears from Livy, that a Roman citizen was not imprisoned, till he had been first heard and condemned.

Criminals were put to death either by cutting off their heads with the axes carried by the Lictors; crucifixion, which was the punishment of slaves; strangling; or being thrown from the Tarpeian rock. In the two first cases the prisoner was always scourged with rods before execution. The scourging and crucifixion of JESUS CHRIST, which had been clearly foretold in the scriptures, could not have happened if he had not been tried by the Roman magistrates. For the law of Moses did not inflict those two punishments upon the Israelites.

Val. Max.
l. 5. 4.

As to those condemned to be strangled, they were executed within the prison. Officers, called *Triumviri*, had the general direction of the prisons, and took care, that every thing passed in them with due order. Valerius Maximus relates a very singular fact upon this subject. A woman of ingenuous birth had been condemned to be strangled, probably either for adultery or poisoning. The Prætor delivered her up to the *Triumvir*, who caused her to be carried to prison, in order to her being put to death. The goaler, who was ordered to execute her, took compassion upon her, and could not resolve to put her to death. He chose therefore to let her die of hunger. Besides which; he suffered her daughter to see her in prison; taking care however, that she brought her nothing to eat. For this continued many days, he was surprized that the

solum vertunt—& confugiunt quasi ad aram in exilium—Itaque nunc in lege nostra reperietur, ut apud cæteras civitates, maleficio in exilio esse multatum. Pro CÆCIN. n. 100.

prisoner lived so long without eating, and suspecting the daughter, upon watching her, he discovered that she nourished her mother with her own milk. Amazed at so pious and at the same time so ingenious an invention, he told the fact to the Triumvir, and the Triumvir to the Prætor, who believed the thing merited relating in the assembly of the People. The criminal was pardoned: a decree was passed that the mother and daughter should be subsisted for the rest of their lives at the expence of the public, and that a temple sacred to Piety should be erected near the prison. Plin. Hist. l. 7. 36.

I should ask pardon for the length of this narration; but the singularity of the fact drew me into it almost against my will.

In the early times of Rome, justice was administered there much in the manner I have related hitherto: for I have omitted many circumstances. Things subsisted in this condition a considerable length of time. The two Prætors, who remained in the city, presided at trials of private and civil affairs, the one between the citizens, as they expressed themselves; the other between the citizens and strangers. The four afterwards added for the provinces, as soon as they were nominated by the People, set out each for that which had fallen to him by lot.

A change happened in the manner of administering justice in criminal affairs, when what was called "perpetual questions or enquiries into crimes," *questiones perpetue*, were instituted. The date of them is not certain. They were so called, because the law prescribed the principles, which were regularly and invariably to be followed in trying certain matters of a public nature therein expressed; whereas before, when any of those matters was brought to a trial, a new law was necessary for prescribing the form, and fixing the principles, to be observed in it. The two Prætors for the city continued to exercise their jurisdiction there as before. The four others no longer

FUNCTIONS OF THE PRÆTOR.

set out for their provinces immediately after their election as formerly, but continued an whole year in Rome, where they exercised their jurisdiction in respect to public affairs, which were at first reduced to four heads, or crimes: *Repetundarum*, oppressive exactions: *Ambitus*, making corrupt interest for offices: *Majestatis*, treason: *Peculatus*, embezzling the public money. *Repetundæ* was robbing private persons and *Peculatus* the public. The six Prætors drew lots for these different functions, as well civil as criminal. After the four last had exercised them during an year at Rome, they went to their respective provinces which also fell to them by lot, and governed there as sovereigns, uniting the military command with the administration of justice during a second year under the title of Proprætors.

The number of perpetual questions, that is to say causes relating to the interests of the public, multiplying, the number of Prætors was also augmented and Sylla added two or four to the six, who had been instituted before.

After what has been said upon the choice of judges and the diversity of trials, it is time for the Prætor to exercise his office.

As soon as he entered upon it, he declared by public edict, which was called *Edictum Perpetuum* upon what principles of Right causes were to be tried during the year of his Prætorship. This was instituted the 686th year of Rome, in the Consulship of Calpurnius Piso and Acilius Glabrio, by the law Cornelia, to obviate the inconvenience of arbitrary decisions, wherein the Prætor and judges observed no other rules than their prejudices or passions.

By this law it was ordained, that the Prætor should be obliged to dispense justice according to the edict which he should publish on entering upon office. In this sense it was called Perpetual: for it did not extend to his successors. It did not acquire the name of Perpetual Edict, till Adrian's time, who caused a collection of the principal edicts to be made by J

FUNCTIONS OF THE PRÆTOR.

245

lian the great civilian, which he confirmed, and gave the title of Perpetual Edict.

The * place for dispensing justice was not fixed, and depended on the Prætor: wherever the Prætor held his sittings, it was called Jus. He held them most commonly in the Forum. The Curule chair on which he sat was placed above the judges, who sat on benches under him. The † place where the Prætor and judges heard causes, was called the Prætor's Tribunal.

Justice was also dispensed in other places. In Rome there were great and magnificent halls called Basilicæ, surrounded with piazzas, where the judges assembled. Quintilian speaks of the ‡ Basilica Julia, where four different tribunals were held at the same time, and observes that an advocate, named Trachalus, had so strong a voice, that pleading at one of those tribunals, he made himself not only be heard but praised and admired at the three others. He speaks also of a famous professor of rhetoric, who § being to plead his first cause before the Prætor at a Tribunal in the open air, was much confounded and perplexed, because till then he had always spoke within the narrow compass of his school, and demanded as a favour that the tribunal might be transferred into a neighbouring Basilica.

Justice could be dispensed only on certain days, which were called Dies Fasti. The knowledge of this difference of days, was in early times a kind of mystery, which the Pontiffs had engrossed to them-

* Ubi cumque prætor, salva majestate imperii sui, salvoque more majorem jus dicere constituit, is locus recte jus appellatur. PAULUS l. 2. Digest. de justitia & jure.

† Nobis in Tribunali Q. Pompeii Prætoris urbani sedentibus. CIC. de Orat. n. 168.

‡ Cum in Basilica Julia Trachalus diceret primo tribunalii, quatuor item judicia, ut moris est, cogerentur atque omnia clamoribus fremerent, & auditum eum, & intellectum, & quod agentibus ceteris contumeliosissimum fuit laudatum quoque ex quatuor tribunalibus magni. QUINTIL. l. 12. 5.

§ Cum causa in foro esset oranda, impensè petiit, uti subsellia in Basilicam transferrentur. Ita illi novum cælum fuit, ut omnis ejus eloquentia contineri tecto ac parietibus videretur. QUINTIL. l. 10. 5.

FUNCTIONS OF THE PRÆTOR.

selves, and kept secret, in order to render themselves necessary, and oblige the pleaders to have recourse to them. We shall soon see in the history that the Register Flavius stole their secret, and occasioned their losing much of their credit by making it public.

The Prætor drew by lot out of the judges, chosen to administer justice for the current year, the number necessary for trying the cause in question. That number which was always odd, was not fixed, but varied according to the difference of causes. Cicero speaks of a cause, wherein there were seventy-five judges, and of another that had thirty-three. In the latter, one of the judges called Stalenus, had received six hundred and forty thousand sesterces from the accused, that is to say about four thousand pounds sterling. He was to have distributed about 250 pounds to each of the sixteen judges, who composed one half of the voices: and himself the seventeenth made the plurality: But he kept the whole to himself, and the accused was condemned.

In Pis. n.
96.

ProCluen.
n. 74.

Each party in a cause might refuse a certain number of the judges. Accordingly, in Milo's affair, fourscore and one judges were at first appointed to try the cause. After the pleadings, before the judges passed sentence, both the accuser and the accused rejected fifteen, so that the number of the judges was reduced to fifty-one. On other occasions the Prætor substituted others in the room of those who had been rejected, and always by lot.

It is remarkable, that the * Romans, not only in important causes, but even in those for no more than a small sum of money, would admit no judge that was not accepted by both parties.

The Prætor received the oath of the judges, before they proceeded to try a cause; as for himself he took no oath, because, as we have already observed, he did not act as judge himself, but only collected the

* Neminem voluerunt majores nostri, non modò de existimatione cujusquam, sed ne pecuniaria quidem de re minima esse Judicem, nisi qui inter adversarios convenisset. Pro CLUENT. n. 120.

voices of the judges, and passed sentence according to the majority.

Amongst the judges, there was one who had a peculiar authority, subordinate to that of the Prætor, but superior to that of the other judges: he was called *Judex Quæstionis*. He had several things confided to his care, to which the Prætor's occupations, or dignity, would not admit him to attend. He heard witnesses; he presided in putting slaves to the question by torture; and examined the papers and titles produced by the parties at law. As different tribunals were held at the same time, at which the Prætor could not be present; these judges (*Judices Quæstionum*) presided in them in their stead.

When every thing was ready, the judges took their seats, and the advocates attended to plead. The custom of (1) Referring causes which had not been sufficiently made out at the hearing for the judges to decide concerning them, was not known then. When an affair was not sufficiently cleared up at a first pleading, it was ordered to be tried over again a second time; and if that would not do, a third. There are instances of causes pleaded over again in this manner eight times. This was called First Action, Second Action, and so on to the rest. We have a famous example of these first and second actions in the cause of Verres.

Cicero had declared himself the accuser of Verres, who had publicly committed unheard-of rapine in Sicily, and had made choice of Hortensius for his advocate. The latter took all possible measures to spin out the affair till the next year, when he was to be Consul with Q. Metellus, and M. Metellus was to be Prætor, all three entirely devoted to Verres. Cicero, to disconcert his measures, and cause justice to be done Sicily, demanded, that he might be permitted to plead his cause at first quite simply, in producing

(1) This is a form in the French courts of law, called *Appointer un procès*, a delay granted for correcting and amending proceedings, proofs, &c. in doubtful cases, and for other reasons.

FUNCTIONS OF THE PRÆTOR.

upon each head of accusation the witnesses and proofs and obliging Hortensius to answer summarily to each fact. Accordingly he pleaded it in that manner. The discourse intituled, *Actio prima in C. Verrem*, is the introduction of that first pleading, which had all the success he had hoped from it. Hortensius, disconcerted by this manner of pleading, did not dare to answer it, and Verres, not having been able to corrupt the greatest number of the judges, condemned himself to banishment. The admirable pleading against Verres which Cicero has left us, would have acquired him universal applause, if he had pronounced them; but they would have required several audiences, and protracted the affair till the year following. He sacrificed the regard for his own reputation to the interest of his clients: But after having made them carry their cause, he took care to make himself amend for his voluntary loss, by giving his pleadings to the public, wherein he supposes that Verres had appeared before the judges in a second action called *comperendinatio*; because when the first action was terminated * *perendino die*, three days after, the second commenced. We have five of these pleadings, under this title: *Liber 1. Actionis 2æ. in Verrem. Liber 2. &c.*

Several orators sometimes pleaded the same cause. This did not happen only, when there were several persons interested in the same affair, as is every day commonly practised: but different parts of the same pleading were distributed amongst different advocates. Cicero † says, that in this case, the Peroration or "Conclusion upon the whole," was generally allotted to him, because he was thought the most proper for exciting the passions. Quintilian ‡ says as much of himself in respect to the Narration, or "opening of the

* Scies igitur cras, aut ad summum perendie. CIRC. ad Attic. l. 1. c. 34.

† Si plures dicebamus, perorationem mihi tamen omnes relinquebant. In quo ut viderer excellere, non ingenio, sed dolore assequer. ORAT. n. 130.

‡ Ferè ponendæ à me causæ officium exigebatur. QUINTIL. l. 4. c. 2.

cause." This custom seems odd enough, and is blamed by Cicero in more than one passage of his works.

The advocates were usually allowed as much time for pleading as they thought fit. I am terrified when I read that Pliny the younger spoke seven hours together, whilst nobody was tired but himself. Sometimes a certain space of time was prescribed, which the orator was not allowed to exceed. Cicero complains, that in a certain cause he was limited to half an hour. That time was measured by a water-hour-glass called clepsydra. From thence Quintilian says, in speaking of an advocate that loses his time in useless digressions, *temporibus præfinitis aquam perdit*: and of another, who having laboured a long pleading could only pronounce a part of it within the time: *laboratam congestamque di-ctum & noctium studio actionem aqua deficit*.

When the pleadings, and replies, if there were any, were ended, the Prætor gave the judges the ballots, on which the votes they should think fit to give, were marked. That for acquitting, was marked with an A; that to condemn with a C; and the third with NL, which signified *non liquet*, the case is not sufficiently clear. After having received these ballots, the judges conferred together concerning the cause, *in consilium ibant*: after which each of them threw the ballot that expressed his opinion into the urn. This custom was established, that the judge might be entirely free to pass sentence without witnesses: but at the same time it was his duty not to abuse it, by giving his suffrage contrary to justice. Cicero makes a fine reflection upon this head. "The * judge in giving his suffrage, ought not to consider himself as alone, nor that he is at liberty to pronounce according to his own inclination; but to represent to himself that he has around him Law, Religion, Equity, Integrity, and Fidelity, which form his council, and ought to dictate his voice."

* Est illud hominis magni atque sapientis, cum illam judicandi causa tabellam sumpserit, non se putare esse solum, neque sibi quodcumque concupiverit licere, sed habere in consilio legem, religionem, æquitatem, fidem. Pro CLUENT, n. 159.

FUNCTIONS OF THE PRÆTOR.

The Prætor lastly collected the ballots thrown into the urn, and pronounced according to the majority. The form of passing judgment was, for acquitting, *Non videtur fecisse*, he does not seem to have committed such an action, or, *jure videtur fecisse*, he seems to have acted with justice: for condemning, *videtur fecisse*, he seems to have committed such an action, or *non jure videtur fecisse*, he does not seem to have acted justice: for a more ample examination, and a second trial, *Amplius cognoscendum*, or in the single word *Amplius*: from whence came the terms *ampliare*, *Amplius cognoscendum*. The modest turn of phrase, which custom had established in the form of passing judgment, is worthy of observation. As the knowledge of men is always limited, and often subject to error, it was not thought proper, that the Prætor should pass sentence in the affirmative terms, "he has acted unjustly, &c." but in a more modest words, "he seems to have acted unjustly, &c."

The Prætor usually added to the judgment he pronounced, the punishment to be inflicted upon the criminal. "He seems to have committed violence, wherefore he is prohibited the use of fire and water."

THE

THE ROMAN HISTORY.

INTRODUCTION.

THIS introduction includes three articles : the first treats of the *Ædileship* ; the second, three great public works, which have some relation to that office ; and the third, the cruel treatment of debtors by their creditors at Rome.

ARTICLE I.

Brief description of the functions of the Ædiles.

THE *Ædiles* are so called from the Latin word *ædes*, which signifies building, edifice : we shall see presently the relation of that name to their functions.

The first *Ædiles* were instituted the same year with the Tribunes of the People. They were at that time subaltern officers, to execute the orders of the Tribunes, who referred some affairs of small importance to their care. The public and private buildings were under their direction, from whence they took their name ; they presided in the games given to the People ; and had also a share in the civil government, that obliged them to provide for the safety and cleanliness of the city, to regulate in respect to provisions, with abundance of other cares, of which it is easy to conceive that the detail must be very extensive. It was also

A. R. 261.
Dionys.
l. 6. p. 411.

Liv. l. 3.

INTRODUCTION.

also ordained in process of time, that the decrees of the Senate, immediately after they were passed, should be put into their hands, to be deposited in the temple of Ceres, in order that it might not be in the power of the Consuls to make any alteration in them. Two Ædiles were annually chosen in the same assembly with the Tribunes, and always out of the body of the People.

A. R. 388.
Liv. l. 6.
c. 42.

The Plebeians continued in the sole possession of the Ædileship during the space of an hundred and twenty-seven years to the year of Rome 388. The Senate at that time, who had just reconciled themselves to the People, by granting that one of their order should be Consul, thought it incumbent on them to express their gratitude to the Gods for so considerable an event, which they ascribed to their peculiar favour and protection: Accordingly they decreed that the Great Games should be celebrated, and that to the three days of the festival called *Feriae Latinae*, on which those games were always solemnized, a fourth should be added. The Ædiles having refused on this occasion to celebrate the Great Games, on account of the expence with which they were attended, the young Patricians offered with joy to take it upon themselves, upon condition that the honours of the Ædileship should be granted them. Their offer was accepted with great marks of approbation and gratitude, and the Senate passed a decree for the election of two Ædiles annually out of the order of the Patricians. From thenceforth there were two kinds of Ædiles at Rome. The one were called Plebeian Ædiles, the other Curule Ædiles, because they had the right of having the Curule chair adorned with ivory, which was placed in the chariot wherein they were carried: a distinction annexed to the great offices of the Commonwealth.

Julius Cæsar added two Ædiles to their number, to have the inspection of corn, who for that reason were called *Cereales*. But these, besides their being established late, are less known in history: wherefore we shall speak only of the Plebeian and Curule Ædiles.

It

I N T R O D U C T I O N.

253

It is not easy to describe exactly the different functions of these two kinds of *Ædiles*. * Cicero, in the last of his orations against Verres, mentions those of the Curule *Ædiles*, which were the principal; and reduces them to presiding in the games celebrated in honour of different Divinities, to the care of the sacred edifices, and the civil government in general of Rome. He afterwards repeats the distinctions of honour granted to the *Ædiles*, such as the right of giving their opinion in the Senate, not according to the date of their admittance into that body, but a more honourable rank; the robe called *toga prætexta*, the Curule chair, and the right of having † images, so proper to render families illustrious to posterity: all privileges annexed to the great offices of the state. It is probable that the Patricians had taken into their *Ædileship* only what was most important for the Public Good, and most honourable for themselves; and the three heads mentioned in the passage of Cicero, the celebration of games, the public and sacred buildings, and the civil government in general of the city, seem sufficiently of this kind. Of all these functions, I shall consider those principally, which regard the celebration of games, because that subject recurs most frequently in history; and I shall touch but slightly upon it, because it would carry me a great way, if I undertook to treat it in all its extent.

The public games, as well amongst the Romans as the Greeks, were ceremonies of religion, celebrated

* Nunc sum designatus *Ædilis*: habeo rationem quid à populo Romano acceperim. Mihi ludos sanctissimos maxima cum cæremonia Cereri, Libero, Liberæque faciundos: mihi Floram matrem populo Plebique Romano ludorum celebritate placandam: mihi ludos antiquissimos, qui primi Romani sunt nominati, maxima cum dignitate ac religione Jovi, Junoni, Minervæque esse faciundos: mihi sacrarum ædium procurationem: mihi totam urbem tuendam esse commissam. Ob earum rerum laborem & sollicitudinem, fructus illos datos, antiquiorem in Senatu sententiæ dicendi locum, togam prætextam, sellam curulem, jus imaginis ad memoriam posteritatemque prodendæ. Verr. 7. 38.

† The Romans, whose fathers or ancestors had borne Curule offices, set up their images in their halls; and they were carried in pomp at their funerals.

in

INTRODUCTION.

in honour of the Gods, either to implore their aid in public dangers and misfortunes, or to thank them for the protection received in them: * for this reason they were preceded, accompanied, and followed, with abundance of sacrifices.

The principal of these games were those of the Circus, Circenses; called also the Great games, the Roman games, *ludi Magni, ludi Romani*; and those of the theatre, *ludi Scenici*.

Liv. l. 9. The first are almost as ancient as Rome itself, and were established by Romulus in honour of Consus God of counsels, whom some believe to have been the same as Neptune; they were called also Consualia. The Sabine virgins were carried off in these games.

Virg. Æn.
l. 8. 635.

*Nec procul hinc Romam, & raptas sine more Sabinas
Confessu cavea, magnis Circensibus ætis
Addiderat.*

Virgil calls them games of the Circus by anticipation, which were not then in being.

Liv. l. 35.
Dionys.
iii. 200.

Tarquin the elder built the Circus in the valley Marcia, between the Palatine and Aventine hills. He made seats in it for the spectators, on which they sat under the shelter of a roof. Before that time they were placed in a kind of wretched Amphitheatres, built of boards and poles. In process of time this edifice became the most magnificent and surprizing work in Rome. It was two thousand one hundred and eighty-four feet in length, and nine hundred and sixty in breadth. According to some Authors, it was capable of containing an hundred and fifty thousand spectators, and according to others, two hundred and sixty or three hundred thousand. It was called the great Circus, Circus Maximus.

The Circus served for horse and chariot-races, for the Gymnic games or those of the Athletæ, and for combats on foot or on horse-back. The chariots in

* In ludis quanta sacra, quanta sacrificia præcedunt, intercedunt, succedunt! TERTULL. de spect. c. 7.

this

I N T R O D U C T I O N.

255

this kind of races were extremely small and low. Some were drawn by two horses, and were called Bigæ: others by four in front, Quadrigæ; and sometimes also, though very seldom, by six in front, Sejuges. Under the emperors, those who drove the chariots, were divided into factions according to the colour of their habits. At first these were only two: the white, Alba; and the red, Rubra, or Russea. Then two others were added to them: the green, Præfina; and the blue, Veneta. These factions of the Circus divided the People, some being for one colour, and others for another: and as there requires very little for putting the populace into a ferment, these disputes often grew so hot, as to occasion seditions, in which much blood was shed.

I shall not enter here into a particular account of these races and combats, having treated them with sufficient extent elsewhere; and shall only observe, that the Roman People took exceeding pleasure in the games, and that they made Rome infinitely agreeable to them. I speak of the poor themselves, who were contented, and even thought themselves happy, provided they had but bread and shews.

Anc. Hist.

————— *Duas tantum res anxius optat,
Panem & Circenses.*

Juvenal.

We ought not to wonder, that a warlike People, who breathed nothing but arms, had so great a taste for shews, which were a lively image of war, and represented combats and victories, even in the midst of peace. But to these innocent combats cruel and inhuman ones were added in process of time, which dishonoured a nation so estimable in other respects. And indeed, how shall we pardon the Romans, or reconcile with that humanity and goodness of disposition upon which they valued themselves, especially in the latter times of the Commonwealth, and under the Emperors, the barbarous and inhuman pleasure they took in seeing human blood shed, in making men fight

INTRODUCTION.

fight with wild beasts, in causing young virgins solely for refusing to abjure JESUS CHRIST to be torn in pieces by bears and lions, and to feed their eyes, for whole days together, with sights that give horror to nature, whilst not even the softer sex, who are naturally tender and compassionate, seem moved in the least with them !

Liv. l. 7.

c. 2.

A. R. 391.

The Scenic games, that is to say the representations of the Theatre, exhibited more merciful and humane sights to the People, but not less pernicious to their manners. These games did not seem to suit a warlike People like the Romans : nor were they used amongst them till almost four hundred years from the foundation of Rome. A motive * of religion made way for them ; to appease the wrath of the Gods, and to make a plague cease, which raged exceedingly in the city. We see here how high the absurdity of the Roman superstition rose. They imagined the wrath of the Gods was to be appeased in plagues, famines, defeats of armies, and other misfortunes of the public, by celebrating games which consisted of dances, gross songs, and buffoonry. The generals of their armies, the Senate, believed they did a very meritorious act of virtue in vowing such games for the attainment of victory. What blindness, what absurdity was this !

A. R. 512.

The beginnings of these games were at first rustic and imperfect. They were only gross farces, without connection, plan, or unity of design. More than an hundred years after, the Poet Livius Andronicus gave these representations a more regular form, in dividing a subject, an action, into acts and scenes, according to the rules of art. The poet was himself an actor, and united music and dancing with his performance. These pieces attained their perfection by degrees, and assumed an entirely new face from the various changes introduced in the representation of them. The † theatres

* *Victis superstitione animis, ludi quoque scenici, nova res bellicosæ populo ---- inter alia cœlestis iræ placamina instituti dicuntur.* Liv.

† *Inter aliarum parva principia rerum, ludorum quoque prima originem ponenda visa est : ut appareret, quam ab sano initio res in hanc viciopulenti regni tolerabilem insaniam venerit.* Liv. l. 7. c. 2.

as was natural, answered at first the grossness of the scenes played in them: but in process of time they were carried to a magnificence not easily conceivable, as we shall soon see.

But I make haste to return to the *Ædiles*, whose functions I could not explain without first giving the reader some slight idea of the games of the Circus and Theatre.

To begin by the games of the Circus, it is necessary to observe, that some were ordinary and regular, and others extraordinary, which were celebrated upon different causes and occasions that arose. Amongst the latter, those called votive, *Ludi votivi*, most frequently occur in history. In public calamities, as contagious diseases, the loss of battles, &c. solemn games were celebrated, to appease the wrath of the Gods, to which those calamities were ascribed. The generals often on taking the field, and sometimes in the very heat of battle, made vows to celebrate games in honour of the Gods, if they granted them the victory: for they were entirely convinced that the Divinity disposed all events. When the Roman People had decreed, that Liv. 1. 36. war should be made against Antiochus king of Syria, c. 2. the Consul Acilius, to whom that Province had fallen by lot, by order of the Senate made the following vow, of which the words were dictated to him by the great Pontiff. "If the war, which the Roman People have decreed against Antiochus, has success, and is terminated according to the desires of the Senate and People of Rome; the Roman People, great Jupiter, will cause the great games to be celebrated during ten days together, and make offerings to all the great Gods: and such sums as shall be fixed by the Senate, shall be employed in those ceremonies."

In these extraordinary votive games, the public bore the expence; and the sum employed in them was sometimes regulated upon the number three, which was highly revered, and considered as religious and sacred amongst the ancients. After the defeat of Flaminius by Hannibal at the lake of Thrasymenus, the

INTRODUCTION.

Romans, to appease the wrath of the Gods, * made vow to celebrate the great games, and to employ them the sum of † three hundred and thirty-three thousand three hundred and thirty-three asses, and on third. The generals obliged the enemy whom they had conquered, and often even the allies of the Roman People, to contribute to the expence of the games. M. Fulvius had taken almost three thousand pounds of several states for this use, *centum decem pondus auri*. The Senate, who conceived that sum too considerable, consulted the Pontiffs to know, whether they were necessary to employ the whole in that use. They answered in the negative: and in consequence Fulvius was permitted to take what he pleased of it, provided it did not exceed fourscore thousand asses, about two hundred pounds. Some years after the Senate limited Q. Fulvius to the same sum out of the money he had raised from the Spaniards. What occasioned this ‡ limitation, was the excessive expences of the games exhibited by Tib. Sempronius the Ædile, which had been oppressive not only to Italy and the Latine allies but even to the Provinces abroad.

We do not find what share the Ædiles had in the votive games, unless probably that they took care, as civil magistrates, that good order was preserved in them. It was not the same in respect to the games attached to their office, that is to say, the games of Cere, Flora, and the great or Roman Games. The latter games were celebrated at the expence of the Ædiles, as were the Plebeian games by the Plebeian Ædiles.

As the games were always preceded by a solemn procession, wherein the images and statues of the Gods were carried in pomp, and the Pontiffs, Priests, Augurs, and all the officers of religion and the worship of the Gods, walked in their robes of ceremony.

* Ejusdem rei causa ludi magni voti, æris trecentis triginta millibus trecentis triginta tribus, & triente. LIV. l. 20. c. 10.

† This sum amounts to about eight hundred and fifty-eight pounds.

‡ Decreverat id senatus, propter effusos sumptus factos in ludis Tib. Sempronii Ædilis, qui graves non modo Italix ac sociis Latini nominis, sed etiam provinciis externis fuerant. LIV.

the Ædiles were ordered to adorn the streets and places, through which the procession was to pass, with all possible magnificence, tapestry, rich stuffs, paintings, and statues. In order to this, they in a manner laid all their friends, and even the Provinces where they had any credit, under contribution. The Ædiles also found chariots, horses, drivers, gladiators, and the rewards given to the victors. One of their greatest cares was to collect as many uncommon and curious beasts as they could, as lions, tigers, panthers, fights very agreeable to the people. Sylla ascribed his being rejected the first time he stood for the Prætorship to the design which the People had to oblige him to accept the office of Ædile, because his friendship with Bacchus gave them reason to hope fine games, wherein they should see wild beasts in great numbers, which would be sent him from Africa. We may see in the letters of Cælius how warmly he pressed Cicero, who was then in his government of Cilicia, to do his utmost to procure him panthers. All these occasions, and abundance of others which I omit, were necessarily attended with great expences.

Plut. in
Syll. p.
453.

Fere literis
omnibus
tibi de
pantheris
scripsi.
Epist. fam.
8.

As much may be said of the Scenic Games. There was no Theatre at Rome: a new one was therefore to be built every year; and, the number of people considered, to what an expence must such a work amount? It was necessary to embellish and adorn it with whatever was most curious and magnificent. The Ædiles paid the actors as well as the music: for nothing was taken from the spectators. They also paid the poet for the piece to be represented. Suetonius tells us, that Terence had for his comedy called The Eunuch eight thousand pieces of money, *octo millia nummum* (or *sestertium* which is the same thing) that is to say, about fifty pounds, which in those times was a very considerable sum.

Suet. in
vit. Teren.

Whoever aspired at honours, could not avoid those expences. The Ædileship was the first Curule dignity held at Rome: the age for entering into that office was thirty-seven. Two years after came the Prætor-

Offic. 2.
58.

ship: and after the like interval of two years, the office of Consul. Now the manner in which a person had acted whilst Ædile, and exhibited games, contributed extremely either to gain or alienate the people in respect to the dignities that were to ensue. Marcus, a very rich and powerful man, demanding the Consulship, experienced a shameful repulse, because he had avoided passing through the office of Ædile, to spare himself the expences which necessarily attended that charge. The People, as I have already observed, were infinitely delighted both with the shews of the Circus, and those of the Theatre, and passed whole days at them without being tired. Terence's Eunuch was played twice the same day, morning and afternoon; and it was at the earnest demand of the People, that dramatic pieces were acted over again in that manner. That People would be obeyed, and were so. The Hecyra *, another of the same poet's comedies, had a quite different fate, and was twice interrupted, because the People were for seeing the rope-dancers, or some such sight. They † preferred those of the Circus to those of the Theatre, and chose much rather to see extraordinary beasts, as tygers, panthers, or a white elephant, than to hear the best actors declaim. This is what makes Horace say agreeably, that if Democritus had been present at these games, neither panthers nor elephants would have been a shew to him, but the people, who would have seemed to him more strange and brutal than the beasts themselves.

* *Novum intervenit vitium & calamitas,
Ut neque spectari, neque cognosci potuerit:
Ita populus studio stupidus in funambulo
Animum occuparat.* In Prologo.

† ----- Media inter cœmina poscunt
Aut ursum, aut pugiles: his nam plebecula gaudet....
Si foret in terris, rideret Democritus, seu
Diversum confusa genus panthera camelo,
Sive elephas albus vulgi converteret ora:
Spectaret populum ludis attentius ipsis
Ut sibi præbentem mime spectacula plura.

HORAT. Ep. ad, August.

Cicero

Cicero was not so rigid. It * is not wonderful, says he, that the multitude are so sensible to the magnificence of games, as we ourselves, who have not a moment's leisure from affairs, and who besides can find in the midst of our occupations abundance of other methods to divert ourselves, receive pleasure in the shews of the Circus, and the representations of the Theatre. Cicero pleaded against the orator Servius Sulpicius, who saw with indignation that Muræna had carried the suffrages and favour of the People against him by the magnificence of the games, which he had represented as † Prætor, and in consequence been created Consul in preference to him. "Do you ‡ believe, said he, that the very scene adorned with decorations of silver, which you would ridicule, has given him no advantage over you; and especially as you yourself never was in the case of giving games to the People?" Cicero, in what he says here of his particular taste for shews, speaks as an orator, who has occasion to magnify the pleasure of those games for the good of his cause: but that he thought quite differently at bottom, is evident § from a very fine letter, which he writes to one of his friends, wherein he congratulates him upon his not being present at the shews, given by Pompey to the People at the dedication of his Theatre, whether he was prevented by sickness, or neglected that out of choice and judgment, which others irra-

* Si nosmetipsi, qui & ab delectatione omni negotiis impedimur, & in ipsa occupatione delectationes multas habere possumus, ludis tamen oblectamur & ducimur; quid tu admirare de multitudine indocta? Pro MUR. n. 39.

† The Prætors were also obliged to give certain games. Those mentioned here were the Ludi Apollinarii.

‡ Tibi qui casu nullos [ludos] feceras, nihil hujus istam ipsam, quam irrides, argentam scenam adversatam putas? Ib. n. 40.

§ Si te dolor aliquis corporis, aut infirmitas valetudinis tuæ tenuit, quo minus ad ludos venires: fortunæ magis tribuo, quam sapientiæ tuæ. Sin hæc quæ ceteri mirantur, contemnenda duxisti, & cum per valetudinem posses venire tamen noluisse: utrumque lætor, & sine dolore corporis te fuisse, & animo valuisse, cum ea quæ sine causâ mirantur alii, neglexeris.----Omnino, si quæris, ludi apparatusissimi, sed non tui stomachi: conjecturam enim facio de meo.----Quæ potest esse homini politico delectatio, cum aut homo imbecillus à valentissima bestia laceratur, aut præclara bestia venabulo transverberatur? Lib. 7. Ep. 1.

INTRODUCTION.

tionally admire and pursue. For the rest, says he, the games were very fine, but not at all to your taste; for I judge of yours by my own.----And indeed, what pleasure can a serious and reasonable person take in seeing either a weak man torn in pieces by a very strong beast, or a very fine beast pierced through with a javelin?

To procure the People games and shews so agreeable to them, was then a powerful means to please them and acquire their favour. The wisest and best inclined citizens were obliged to have regard to their humour, which was excessive in this point: * but they acted, however, with reserve and moderation, equally avoiding the two opposite extremes, of sordid avarice and pompous profusion; and regulating their expences by their revenues. It was thus Cicero † behaved in his *Ædileship*. He informs us himself, that his charges in that office amounted only to a very moderate sum, and that the dignities of *Prætor* and *Consul* were conferred upon him by the People with marks of distinction highly in his favour. Julius Agricola acted with the same prudence in the games which his charge of *Prætor* obliged him to give the public. ‡ He observed, in that frivolous ceremony, a wise medium between an austerity of reason, that prohibits every thing, and a false magnificence, that knows no bounds; avoiding a pompous luxury, and employing a noble œconomy in the expence of those games, capable of doing him honour. Cicero had known how to deserve the esteem and favour of his country by more solid and essential qualities, upon which the People, light as they seem, shew on occasion, that they really set more value, than upon the most superb and magnifi-

* In his mediocritatis regula optima est.----Si postulatur à populo, ---faciendum est, modò pro facultatibus, nos ipsi ut fecimus. *Offic.* 2. 58, 59.

† Nobis quoque licet in hoc quodammodo gloriari. Nam pro amplitudine honorum, quos cunctis suffragiis adepti sumus nostro quidem anno---fanè exiguus sumptus *ædilitatis* fuit. *Ibid.*

‡ Ludos & inania honoris modo rationis atque abundantiz duxit, uti longè à luxuria, ita famæ propior. *TACIT. in Agric. c. 6.*

cent games, which affect them only for moments, and which they forget almost as soon as those shews disappear.

Little minds, whose whole merit consists in their riches, make their glory consist in the vain display of them, and in dazzling the vulgar eye with them. This, in the latter times of the Commonwealth, made the magnificence of these games amount to the enormous and incredible expences, which gave Livy reason to say, that the revenues of the most opulent princes would hardly suffice to support them.

The *Ædileship* of M. Scaurus, which may be dated the 694th year of Rome, gives us a memorable example of this kind. * The building which he erected, Plin. l. 36. according to Pliny, was the greatest work that had c. 15. ever been made by the hands of man; and as solid as if it had been to have subsisted for ever, though its duration at the utmost was not to exceed one month. It was a Theatre. The scene or stage had three rows of pillars, to the number in all of three hundred and sixty. The back part of it was marble, and the middle glass or crystal; a luxury unheard of before or Ib. l. 17. since. The pillars of the lower order were thirty-eight feet high. Three thousand statues of brass were placed amongst the columns. The pit and amphitheatre were capable of containing fourscore thousand men. The rich stuffs, tapestries, paintings, and in a word the whole materials and ornaments, amounted to so enormous a sum, that what remained of them, after Scaurus had employed a great part of them in embellishing his house in the city, having been carried to his country-house at Tusculum, and entirely destroyed by a fire, the loss was computed at about six hundred and twenty-five thousand pounds sterling: *HS millies*, that is to say, *sestertium millies centena millia*. When the shews were over, Scaurus caused all those pillars to be carried to his house. The undertaker

* Hic fecit in *Ædilitate* sua opus maximum omnium, quæ unquam fuere humana manu facta, non temporariâ morâ, verum etiam æternitatis destinatione. PLIN.

who kept the sewers in repair, obliged that Ædile to give security for making good the damages which might be occasioned by the carriage of such heavy columns over the arches, that from the time of Tarquinus Priscus, that is to say, almost five hundred years, had continued firm without alteration, and sustained also the shock of such vast loads without giving way.

Plin. l. 36.
c. 15.

Ibid. c. 3.

Pliny cries out with reason, that the Ædileship of Scæurus finally ruined and subverted the manners of the public: *Cujus nescio an Ædilitas maxime prostravit mores civiles.* Could one believe that luxury was capable of making so rapid a progress in so short time! The carrying of six marble pillars of only twelve feet high had been made a crime in L. Crassus which were the first that had been seen at Rome: and thirty years after, or thereabouts, the magistrates saw three hundred and sixty of extraordinary height carried into that of Scæurus. * They both saw and suffered it; and that, says Pliny, before the eyes of great Jupiter, and the rest of the Gods, whose statues were only composed of earth and clay. But the magistrates knew their impotence; they owned that luxury was stronger than the laws; and chose rather not to make regulations, than to see them violated with boldness and impunity.

Tiberius, on an occasion not unlike that just mentioned, made use of a maxim sometimes necessary in politics. Upon the complaints of the Ædiles in respect to the insupportable excess of luxury, the Senate who had been consulted, referred the affair to the wisdom of the Emperor. † Tiberius, after having long

* Tacuere tantas moles in privatam domum trahi præter scelerum fastigia. [Fictilem effigiem Jovis. Lib. 35. c. 12.] Nimirum ista emiserunt moribus victis: frustra quæ vetuerant cernentes, nullas potius, quam irritas, esse leges maluerunt. PLIN. 36. 3.

† Tiberius, sæpe apud se pensitato, an coerceri tam effusæ cupidine possent; num coercitio plus damni in remp. ferret; quam indecorum attrectare quod non obtineretur, vel retentum ignominiam & infamiam virorum inlustrium posceret; postremo literas ad Senatum composuit. TACIT. Annal. l. 3. c. 52.

Nescio an suaserim omittere potius prævalida & adulta vitia quam hoc adsequi, ut palam fieret quibus flagitiis impares essemus. Ibid. c. 53.

considered

considered upon means for reforming the disorder; whether the remedy were not worse than the disease; and how great a disgrace it would be to him to undertake what he could not effect, or being reduced to execution, would be fatal to the most illustrious families: insinuated to the Senate, in a very fine and long reply which he made to them, that in the present state of things, it were perhaps more prudent not to attack disorders, that through long impunity had gained the upper hand, than to attempt a reformation, which would only serve to evidence weakness and want of power in the reformers.

Cicero, in the second book of his Offices, teaches Offic. 1. 2. us the judgment we ought to form of the magnificent C. 56. works and enormous expences, that had no other end but to divert the People, with which I shall conclude this brief discourse upon the functions of the *Ædiles*. As he had a regard for Pompey's memory, he would not condemn in his own person the great works by which that illustrious friend had endeavoured to perpetuate his name; but he does it in a manner less express by the mouths of others. * As to the expences, says he, employed on theatres, porticoes, and even new temples, my regard for Pompey makes me more reserved in blaming them: but I know persons of the greatest capacities, who do not approve them. Pompey, on his return from the war with Mithridates, had caused a superb theatre to be erected, which, according to Pliny, was capable of containing forty thousand spectators. It was to be always permanent, whereas theatres before, even those which had cost the most, were only for a very short time. At the sight of so great, and in appearance so necessary a work, would not one expect Cicero to expatiate in praises and admiration? We have seen in what manner he expresses his sense of it.

He had before introduced two famous philosophers, who were divided in opinion upon this head. I can-

* *Theatra, porticus, nova templa verecundiùs reprehendo propter Pompeium: sed doctissimi non probant.*

not sufficiently wonder, says Cicero, that Theophrastus, in a book which he has composed upon riches and in which he says abundance of good things, was capable of falling into so gross an absurdity, as to praise the pomp and magnificence of Shews given to the People; and to make the advantage of wealth consist in the power of lavishing money in such expences.

How much more wisdom and truth are there in the reproaches which * Aristotle makes us, for not being terrified to see such profusions committed for the diversion of the People. When we are told, says that philosopher, that a cup of water was sold in a besieged city for fifty shillings, (*minam*) every body is struck with it, and excuse the price only on account of the necessity that occasions it. Whence then is it that such prodigious expences, which relieve no kind of necessity, and conduce in nothing to exalt the consideration and dignity of the persons who are at them, should be thought so little strange? The very † pleasure they give the People, is only for a few moments delight only the lightest and most contemptible amongst them, and is even forgotten by those almost as soon as enjoyed.

To these frivolous, and at the same time enormous expences, Cicero substitutes others, which are attended with less cost, and do more honour: the building of walls to the city, harbours and ports, aqueducts [the making of high-ways] and all other things of use to the commonwealth. Even such as presents from hand to hand, give a more lively and sensible pleasure: but that which results from these other works is far more solid and durable.

Liv. Epit.

48.

Vell. l. 15.

App. Civ.

l. 1. p. 367.

Cicero speaks here like a true Roman, and a Roman of the best ages. P. Cornelius Scipio Nasica thought in the same manner an hundred and twenty

* It is believed that there is an error in this name, because there is no such passage in the works of Aristotle, as Cicero repeats here.

† Cum ipsa illa delectatio multitudinis sit ad breve exiguumque tempus, eaque à levissimo quoque: in quo tamen ipso una cum satietate memoria quoque moriatur voluptatis.

year

years before him. The Censors had before ordered the undertakers to build a fixed and permanent theatre of hewn stone. I have already observed that it was the custom before to erect one according to occasion. The Censors represented, that it appeared far more rational and more consistent with the dignity of the commonwealth, to build a perpetual theatre: and that to judge rightly, such an expence could not but be deemed just and necessary, and when made once for all, would spare the Ædiles and Magistrates the almost inevitable necessity of ruining themselves every year, or at least of considerably impairing their fortunes: besides which, in consequence of such a structure, the spectators would be better accommodated.

These reasons, it must be owned, appeared very plausible. Scipio Nasica however, then great Pontiff, a person of extraordinary merit, and wisdom universally acknowledged, strongly opposed this undertaking as an innovation repugnant to ancient customs, and pernicious to good manners, that might be attended with very fatal consequences. He exhorted the Senators not to suffer the luxury and voluptuousness of the Greeks to enervate and corrupt the manly courage of the Romans, and not in some measure to invite the People, already too much inclined of themselves to the pleasure of shews, to abandon themselves to them without measure, and to pass whole days at them with the more pleasure, as from thenceforth they would find the place entirely commodious for that purpose.

The Senate, moved with these remonstrances, shewed a wise and determinate† severity upon this occasion, which Paterculus considers as a most shining proof of the zeal of that body for the public good. They decreed that a stop should be put to the work, which was already much advanced; that what was built of it should be demolished; and that the mate-

† Cui in demoliendo, eximia civitatis severitas & Consul Scipio re-
litterunt. Quod inter clarissima publicæ voluntatis argumenta nume-
raverim. VELL. PATERC. l. 1. c. 15.

INTRODUCTION.

rials should be sold. They also prohibited the erecting, either in the city, or within a thousand paces of it, any theatre with seats in it to sit down upon, and ordained that the People should stand at the shews, in order * that so incommodious an attitude and posture might shew that the Romans carried with them, even to their diversions, a manly vigour and patience, capable of sustaining the rudest fatigues; and without doubt to remove the temptation and desire of prolonging the duration of the shews.

Pompey was not so delicate. Tertullian, in his book upon Shews, tells us, that Pompey was afraid to mention the word Theatre in his edict to invite the People to the dedication of that work, but called it the temple of Venus, to which, said he, we have added stairs and seats for the convenience of those who shall be present at the shews †. And Tacitus also informs us, that the ancient and wisest persons of the commonwealth were very much offended at him for having built a perpetual theatre; whereas before it was expected that one was always to be prepared, when the celebration of games made it necessary. Besides which, on tracing the thing farther back, it was found, that the People had always stood at the shews, and to provide seats for them, was judged to be in a manner exhorting them to pass whole days in idleness and indolence at the theatre.

ARTICLE II.

AMongst the monuments of the Roman magnificence, the three most admired, were the great Ways, or roads, of the empire, the Aqueducts, and

* Ut scilicet remissioni animorum juncta standi virilitas, propriæ Romanæ gentis nota esset. VAL. MAX. l. 2. c. 4.

† Erant qui Cn. quoque Pompeium incusatum à senioribus ferre quod mansuram theatri sedem posuisset: nam antea subitariis gradibus, & scena in tempus structa, ludos edi solitos; vel, si veterum repetas, stantem populum spectasse. Si consideret, theatro dies ignavia continuaret. TACIT. Annal. l. 14. c. 20.



MAP OF ITALY

PROPERLY SO CALLED,

Of which the principal Design is to shew
THE ROMAN WAYS

For the Understanding of M^r. ROLLIN's
Roman History,

By M^r. D'ANVILLE, Geographer in Ordinary to the
King of France, July 1739.

In this Map the Author has made
many Corrections to that in Vol. II. of
the same History.

Principal Ways.

- V.Ap. Appian W.
- V.Lat. Latine W.
- V.Val. Valerian W.
- V.Sal. Salarian W.
- V.Fl. Flaminian W.
- V.Cas. Caspian W.
- V.Cl. Claudian W.
- V.Aur. Aurelian W.
- V.Em. Emilian W.

Roman Miles of 754 Toises.

25 50 75 100

Ordinary Greek Stadia of 94 Toises, 1 Foot & 4.

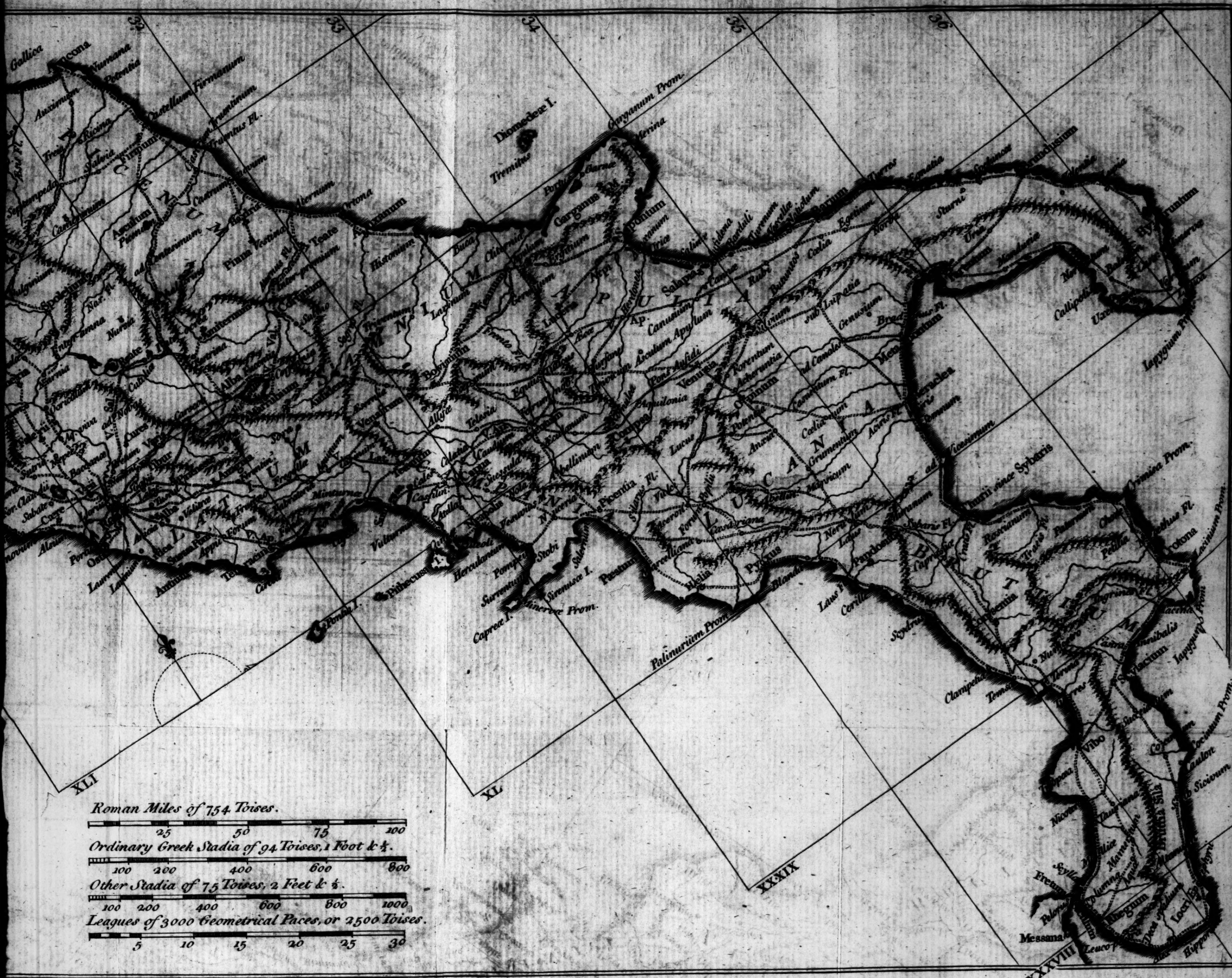
100 200 400 600 800

Other Stadia of 75 Toises, 2 Feet & 4.

100 200 400 600 800 1000

Leagues of 3000 Geometrical Paces, or 2500 Toises.

5 10 15 20 25 30



Roman Miles of 754 Toises.

25 50 75 100

Ordinary Greek Stadia of 94 Toises, 1 Foot & 1/2.

100 200 400 600 800

Other Stadia of 75 Toises, 2 Feet & 1/2.

100 200 400 600 800 1000

Leagues of 3000 Geometrical Paces, or 2500 Toises.

5 10 15 20 25 30

the Drains, or Common Sewers : we have seen that these had some relation to the office of Ædile. I shall treat them succinctly, to give the reader some slight idea of them, and not to bury entirely in silence a subject more capable than any other of making known the greatness of the Roman People. The learned Benedictine Father Montfaucon will in a great measure be my guide upon this head.

SECTION I.

Of the Roman ways.

THE first of all the Romans, who rendered himself famous by making a public way, was the Censor Appius Claudius, whose history we shall soon see. This way was called from him The Appian Way. It reached from the gate of Rome called Porta Capena to the city of Capua : the territory of the Romans extended no farther in those days. It was afterwards continued, either by Julius or Augustus Cæsar, as far as the city of Brundisium. Its length in its whole extent, was about three hundred and fifty miles, that is to say, an hundred and fifty of our leagues. It was the most ancient and finest of all the Roman Ways ; and in consequence was called the Queen of them :

————— *Qua limine noto*

Appia longarum teritur Regina viarum.

Stat. Sylv. 1, 12.

The center of all those great ways was the Milliarium Dionys. stone, called Milliarium Aureum, planted in the midst of Rome. From thence the ways were divided into a great number of branches, which extended into all the parts of the Roman empire. ^{l. 3. p. 526.}

C. Gracchus applied himself with particular care to Plut. in reinstate and repair the great ways. He divided them vit. into equal spaces called miles, because they contained Gracch. p. 837. a thou-

INTRODUCTION.

a thousand geometrical paces. (The mile wants very little of eight * stadia.) To mark those miles, he caused great pillars or columns of stone to be planted, on which the number of miles was inscribed. From thence came that mode of speech so frequent in authors, *tertio, quarto, quinto, lapide ab urbe*. Those miles are to this day of great use in geography, for knowing the true distance of the places mentioned in antient authors. They were also very † commodious for travellers, who are much pleased with knowing exactly the way they have come, and how far they have still to go, which is a kind of rest and refreshment to them.

Gracchus added one thing which was still a greater convenience. He caused fine stones to be planted at less distances on each side of the ways, to assist travellers in mounting on horseback without help: for the ancients did not use stirrups.

The long duration of these works, of which part subsist to this day, shews with what care and skill they were made, which has been imitated by no nation since. Though the Appian way is about two thousand years old, it is still whole for several miles together near Fondi, not to mention many other places where there are great remains of it. But the stones on the top being either loose or out of their places, those roads are avoided, as extremely inconvenient to chaises, or other wheel-carriages.

In other parts there are long spaces, where the top of the pavement has preserved itself very well, and is as smooth as glass. The stones of this pavement are of the colour of iron, and harder than marble. They are so well joined together, that in many places the point of a knife cannot be introduced between them. The surface, as we have said, is as smooth as glass,

* Twenty of them make the common French league of 2500 paces.

† Facientibus iter multum detrahunt fatigationis inscripta lapidibus spatia. Nam & exhausti laboris nosce mensuram, voluptati est; & hortatur ad reliqua fortius exequenda, scire quantum super sit. Nihil enim longum videri necesse est, in quo quid ultimum sit certum est.

QUINTIL. l. 4. c. 5.

which

which in rainy weather makes horses slide; and at all times in the cleanest and smoothest parts of them, there is no going fast. The stones on the top are about a foot thick: and the ways are something higher than the land on the side of them. In some places mountains, and even great rocks, are cut through for continuing them. This is principally to be seen at Terracina, where the rock is cut away almost to the depth of an hundred and twenty feet. The rock is levelled at bottom, and serves for the way, but rough hewn and furrowed, that horses may have firm footing upon it.

This wonderful solidity of the Appian and other ways, proceeds not only from the thickness and hardness of the stones well united, but also the deep bed that supports them. I observed, says F. Montfaucon, part of the Appian way, from which the stones at top had been removed, which gave me the opportunity of considering the structure of that bed. The bottom of it consists of splinters of stone worked together with a very strong cement, which cannot be broke without great difficulty. Upon this there is a layer of gravel cemented in the same manner, and mingled with small round stones. The great stones that form the surface, were easily laid in this layer of gravel whilst soft: there being depth enough in it to receive stones of unequal thickness. The whole bed with the pavement at top, may be about three feet from top to bottom.

There were places where these great roads had foot-ways. Their breadth was about two feet, and their depth one and a half or thereabouts. The usual breadth of the horse-ways is something less than fourteen feet: which is not exactly what is necessary for two waggons. This breadth in my opinion ill suits the beauty of the rest of the work.

We have said that the Romans made high-ways through mountains. We have a lasting example of that in the grotto of Pozzuolo, where the steep mountain

INTRODUCTION.

tain between that city and Naples is cut through from side to side for the sake of the passage. At the two extremities the opening is very high, but the way is afterwards with a descent, in order that it may have light as far as possible. And as this did not hinder the road from being extremely dark soon after the entrance, openings have been cut about the middle through the mountain to let in the light. Notwithstanding all these precautions, it is still so very dark in the middle, that the wheel-carriages, which pass from the opposite sides, would be in danger of running against one another, if the drivers did not call out to each other to keep either on the side next the sea, or on that next the mountain.

The care of the Romans to make the great roads commodious throughout the whole extent of their empire, has done that people infinite honour, and ought to give us a very high idea of the wisdom of a government, whose views were so great and noble, and solely directed to the good of the public. This is a fine model for those who hold the reins of government.

S E C T. II.

Of Aqueducts.

AN Aqueduct is a work of stone, made in uneven ground to preserve the level of the water, and to carry it as a canal from one place to another. There are aqueducts under ground, and others that are continued by arches.

The aqueducts were the wonders of Rome. The great number that had been built there, the immense expences for bringing water thirty, forty, sixty miles, and still farther, upon arches either continued to Rome, or supplied by other works: all this surprises and amazes us, and the more, because we are not accustomed to such bold undertakings, nor to purchase the

the convenience of the public at so dear a rate. * If we consider, says Pliny, the incredible quantity of water brought to Rome for the uses of the public, for fountains, baths, fish-ponds, private houses, gardens, and country-seats; if we represent to ourselves the arches built at a great expence, and carried on a very great way, mountains levelled, rocks cut through, and deep valleys filled up; we shall own that there is nothing more wonderful in the universe. Pliny in the same place mentions an aqueduct finished by the Emperor Claudius, which brought water to Rome forty miles over the highest mountains: a work that cost immense sums.

The Romans during more than four hundred and forty years, contented themselves with the waters of the Tiber, of the wells, and fountains of the city and those in the neighbourhood. But the city being considerably augmented in its extent and the number of its inhabitants, they were obliged to bring waters from remote places by the means of aqueducts. In the year of Rome 442, Appius Claudius, during his Censorship, (for the Censors and Ædiles had the care of the waters) brought water from its source at Præneste to the city by canals, either supported by arches, or continued under ground. Thirty-nine years after M. Curius Dentatus, who was then Censor with Papirius Cursor, brought water also from the neighbourhood of the city of Tibur, and applied part of the sums taken in the spoils of Pyrrhus in that expence. Others afterwards proceeded upon the same plan, with the same views.

Front. de
Aquad.
l. i.

Palæstri-
na.

Tivoli.

But Agrippa rose infinitely upon all who had preceded him. Every body knew at that time, that the true glory of the Ædiles did not consist so much in the celebration of games, a function they were indis-

* Si quis diligentius æstimaverit aquarum abundantiam in publico, balneis, piscinis, domibus, euripis, hortis, suburbanis, villis, spatioque advenientis aquæ exstructos arcus, montes perfoscos, convalies aquatas; fatebitur nihil magis mirandum fuisse in toto orbe terrarum. PLIN. l. 36. c. 15.

PHN. l. 36.
25. pensibly obliged to discharge in virtue of their office; as in the construction of works useful to the public, of which the sight alone transmitted their names and memory to the latest posterity. It seems, that to give an illustrious example in this point, Agrippa, who was in the highest degree of favour with Augustus, had been three times Consul, and had passed through all the most splendid employments, was desirous to exercise the office of *Ædile*. He distinguished himself in it by all that *Ædiles* usually did, but principally by the care which he took to enrich Rome with prodigious quantities of fine water, either by cleansing the ancient canals and aqueducts, or adding new ones to them: which constitutes the beauty and convenience of a city, and contributes exceedingly to its cleanliness, and the goodness of the air; advantages that merit great regard with respect to health, and especially at Rome. Agrippa applied himself intirely to this part of the civil government, which was one of the principal functions of the *Ædiles*. He made an hundred and thirty reservoirs to contain water, besides an hundred and five fountains for the use of the citizens, and seven hundred watering places for horses and other beasts of burden. And to embellish all these works, he disposed amongst them three hundred statues either of brass or marble, and four hundred marble pillars: a truly estimable magnificence, when united in that manner with public utility. These statues and columns did Agrippa more honour, so placed in the public streets and squares of Rome, than, if through a weak and mistaken self-love, he had shut them up, and in a manner kept them in prison, in his palaces and gardens. All this was compleated within the year of his *Ædileship*. Neither did he confine it solely to these glorious works. He undertook another, which, in my opinion, may be considered as still more important than them. I shall speak of it in the following section.

We undertake nothing in these days like these ancient works, whose beauty and grandeur appear to us
in

in the precious remains of them, still superior to all that is related of them by authors. There are still to be seen in the country about Rome, great remains of aqueducts, arches continued a great way, upon which were the canals that carried water to the city. These arches are sometimes low, sometimes of a great height, according as the inequality of the ground required. There are some aqueducts supported by two arches one above another, lest the too great height should prevent the work from being sufficiently solid. They are usually of bricks so well cemented, that it is very hard to separate them from their places. Every body has heard of Pont-de-guard, which consists of three rows of arches, one above another, and is believed to have been built by the Romans to carry on an aqueduct to the city of Nîmes, from whence it is not above three leagues. It is still, after seventeen ages, the admiration of all who see it. When the land was so high, that the necessary descent could not be found, good subterraneous canals were made, which carried the water to the aqueducts above ground, and built at the bottom and on the declivity of the mountains. If the water could not have its way but through a rock, the rock was cut at the height of the higher, to bring the water into the lower, aqueduct. There is still to be seen beyond Tibur (Tivoli) such a canal cut through the rock for more than the space of a mile. This canal is about five feet deep and four broad.

It is impossible to refuse our admiration to such works as the Aqueducts, which not only contributed to the wants and conveniencies of the inhabitants of Rome, but also to the embellishment of the city in general, and of the houses and gardens of particulars by fountains and canals, which constituted their principal beauty. But we are going to see another use of them, which must appear still more estimable, though it does not make so splendid an appearance.

S E C T. III.

Of the Common Sewers and Drains.

I Must desire the Reader not to be prejudiced and disgusted by the name of the work upon which I am now a going to speak, which promises nothing but what is low and offensive, but of which Livy however says, uniting it with the great Circus built almost at the same time, that even under Augustus, when Rome had attained its highest degree of elevation, it could hardly shew any thing comparable to the grandeur and magnificence of those two works. *Quibus duobus operibus vix nova hæc magnificentia quicquam adæquare potuit.*

Liv. l. 58.

Liv. l. 38.

It was Tarquin the Elder who formed the design of, and, in some sense, finished the work in question. Rome, as all the world knows, had several hills within its walls. The rains and other waters overflowed the streets and places situated low, and very much incommoded the inhabitants by the dirt and filth, and still more by the stagnation of stinking waters that infected the air, and often occasioned diseases. Tarquin, like a great King who had noble views, and who believed himself only placed upon the throne for the good of his subjects, formed the design of delivering Rome from all its inconveniencies, and of rendering it a more healthy abode.

For this purpose, he caused subterraneous vaults to be built of incredible solidity, as we sha'll see in the sequel. They were divided into many branches, which extended into the several quarters of the city, and terminated all under the Forum in the great Common Sewer, called Cloaca Maxima, that by a single canal emptied itself into the Tiber. These vaulted canals were sixteen feet broad, and thirteen high, so that a waggon loaded with hay might easily pass in them. Openings had been left at proper distances to receive the filth of the city, which kept it always very clean.

INTRODUCTION.

277

clean. The incredible quantity of waters, brought by the great number of aqueducts to Rome in whole rivers, and discharged into these Sewers, joined with the other rivulets which had been purposely made to run through them, and especially the declivity, which great care had been taken to give these subterraneous canals, made it impossible for the filth to continue long in them, and occasioned every thing to be presently carried off into the river.

Tarquin the Proud put the last hand to the great Liv. 1. 1.
Cloaca, and was perhaps obliged to enlarge it, be- c. 55.
cause the city itself, being much augmented by the addition of several hills, it was undoubtedly necessary to make particular Sewers in the new quarters, that emptied themselves like the rest into the great one.

The burning of Rome by the Gauls, followed very Liv. 1. 5.
soon by the rebuilding of the city, discomposed the c. 55.
order of this admirable work extremely. As every thing on that occasion was done in haste, and the people had no thoughts but of getting themselves habitations as soon as possible, each built where he pleased, without regard to lines, or following any fixed and stated plan. From thence it happened, as most of the streets were very narrow and irregular, that the subterraneous canals, which before ran along the middle of the streets and public places, were most of them under private houses, which could not in all appearance but be attended with considerable inconveniences. The work however continued firm and whole for many ages, notwithstanding all the accidents that might have hurt it. This Pliny tells us, where he speaks of the care Agrippa took of the Sewers during his Ædileship. * Having opened the

* A Marco Agrippa in Ædilitate post Consulatum, per meatus corrivati septem annes, cursuque præcipiti torrentium modo rapere atque auferre omnia coacti, insuper mole imbrum concitati, vada ac latera quatiant: aliquando Tiberis retro infusi recipiunt fluctus, pugnantque diversi aquarum impetus intus: & tamen obnixa firmitas resistit. — Pulsant ruinæ, spontæ præcipientes aut impactæ incendiis: quatitur solum terræ motibus. Durant tamen à Tarquinio Prisco annis DCC. prope inexpugnabiles. PLIN. l. 36. c. 15.

fluices, that kept the water brought to Rome by seven aqueducts in the same number of great reservoirs, that water fell with incredible rapidity like so many torrents into the subterraneous vaults, and carried away with it all the filth, which they might insensibly have contracted, notwithstanding the attention of the Censors and Ædiles, (and indeed that was inevitable) and perhaps through the neglect of some of those magistrates. Agrippa succeeded so perfectly in cleansing these Drains, that he in a manner made those subterraneous vaults, canals of pleasure, and diverted himself with going down in a boat from the entrance of the great Sewer to the place where it emptied itself into the Tiber. The arched work of those Drains must have been of a solidity of proof against all things, as they were capable of supporting the weight of the houses built upon them, to which they served instead of foundations; the weight of the pavement of the streets, which in the manner it was prepared, as we have seen above, must have been very heavy; and that of the innumerable carriages perpetually passing to and fro in the streets of Rome. Add to all this, with Pliny, the falling down of houses either through decay or fires, earthquakes that happened from time to time, and the impetuosity of the waters which fell like torrents into the Sewers, and which were often driven back with violence by the waves of the Tiber when it overflowed. Notwithstanding which, says Pliny, these vaults have subsisted from Tarquinius Priscus down to our time, that is to say above six hundred and fifty years, almost as firm and solid as at first.

These were works truly worthy of the Roman greatness; and I am not afraid to say, that to estimate things according to their real value, the Sewers of Rome, though buried deep in the earth, were highly to be preferred to those enormous piles the Pyramids of Egypt, which rise almost into the clouds, and which Pliny has reason to define, “A foolish and
use-

INTRODUCTION.

279

useless ostentation of the riches of kings." *Regum pecunie otiosa ac stulta ostentatio.* Plin. l. 36. c. 12.

The city of Paris, animated by the zeal and good taste of Mr. Turgot her Mayor, seems to intend to imitate ancient Rome. The considerable expences which she employs on works that have no end, but the convenience and embellishment of the capital of the kingdom, are well bestowed, and will do great honour to the wise magistrate who presides over her, and those who form his council.

ARTICLE III.

Short dissertation upon the cruel treatment of debtors by their creditors.

THE manner in which debtors were treated at Rome by their creditors, was a continual source of trouble and division between the two Orders of the State. It was a Right established at Rome, probably from the foundation of the city, either by an express law, or purely by custom, that debtors, who were not in a condition to pay their debts, should be delivered up to their creditors, to be employed by them in the same works as slaves. There seemed a kind of justice in obliging debtors, that could not discharge their debts by money, to discharge them by services done their creditors, who, for instance, sent them to work in cultivating their lands in the country, or employed them in the same works as other slaves in their houses. And in order that they might not fly, they wore chains both in the city and country; from whence they were called Nexi.

If they had contented themselves with exacting only this kind of service and work, it would perhaps be difficult, as we shall shew in the sequel, to charge the custom with injustice. But the creditors, who were almost all usurers by profession, did not stop there. There was no kind of cruelty, ill treatment,

or indignity, that they did not make them suffer. Dion. Hal. What Dionysius Halicarnassensis makes Sicinius, chief of the faction who supported the interests of those poor debtors, say to them, shews to what an excess their misery was carried. "We are reduced to the cruel necessity of cultivating our own lands for the advantage of these insatiable tyrants, to dig, to plant, to toil, and to keep cattle, in company with the slaves taken by our own arms, and treated in all things like them, some with chains at their hands, some at their feet, and others with iron collars about their necks like brute beasts; not to mention the bitter injuries and insults, the insolence and cruelty of those barbarous wretches, which often vents itself in tearing and torturing our bodies with scourges."

Id. p. 361. These complaints may be considered as great exaggerations. But in the same historian we find an old man, who had been in twenty-eight battles, and received many rewards of his valour; who not being able to pay his debts, had been delivered up with his children to his creditors. Having escaped from prison, he presented himself before the People to implore their compassion, shewing his breast covered with wounds received in defence of his country, and his back still bleeding with the lashes he had just received from his creditor. * Livy relates the same fact, and with the same circumstances.

A. R. 259. This fact occasioned the first sedition of the People, and their secession to the Sacred Mountain. After abundance of deliberations, an accommodation was at length concluded. It is surprizing that amongst the conditions of this treaty, Livy should not say a single word concerning the debts, which had been the sole cause of this tumult: he only speaks of the institution of the Tribunes of the People. Dionysius of Halicarnassus supplies us with what passed in that respect. The following, according to him, are the words of

Dionys.
l. 6. p. 405.

* Ductum se ab creditore, non in servitium, sed in ergastulum, & carnificinam esse. Inde ostentare tergum foedum recentibus vestigiis verberum. Liv, l. 2. c. 23.

INTRODUCTION.

281

Menenius Agrippa to the People in the name of the Senate. "As to those who are not in a condition to pay their debts, we agree it is just that they should be remitted to them: and if any debtors have been delivered up for non-payment in time, it is our will that they be set at liberty. We also decree that those, against whom their creditors have obtained from the judges sentence to seize their bodies, shall be discharged, and we cancel all such sentences passed against them." All these clauses regarded the past: and it was agreed for the time to come, that the Senate and People in concert should make a regulation in respect to debts which should have the force of a law. It does not appear that any such was made. The People probably judged the institution of the Tribunes a sufficient barrier against the injustice and violence of creditors.

If that office were so at first, that refuge was of no long duration, and did not secure the People. Amongst the laws of the Twelve Tables, that is to say less than fifty years after, there was one, which in express terms gave creditors the same rights over their debtors, as excited the sedition I have just been speaking of, and carried things still much farther. The judges granted a debtor thirty days to find means for paying his debts. If he suffered that time to elapse without payment, he was delivered up to his creditors, whom the law permitted to keep him in irons; and he continued sixty days in them. During that interval, he was made to appear three market-days successively before the Prætor, and proclamation was made of the sum in which he was found and declared to be indebted. And if he did not either pay it on the third market-day, or find sufficient security, he was condemned * to lose his head, or to be sold as a slave into a strange country on the other side of the Tiber. This capital punishment only for debt makes one tremble. The law, however, was not

A. R. 304.
Aul. Gell.
l. 20. c. 1.

* Capite pœnas dabant, aut trans Tiberim peregre venum ibant.

INTRODUCTION.

contented with that. † To inspire by so atrocious and shocking an ordinance a greater horror for breach of faith in the commerce of the world and civil society (for that appears to be the motive for so strange a law) it permitted creditors, if there were a plurality of them, to cut the dead body of their common debtor into several parts, and to divide it amongst them.

I do not know whether there be any thing in all Pagan antiquity more horrid than this law. In consequence it was ‡ abrogated by non-usage, and the general detestation of such inhuman cruelty. The first part of this law, which delivered up debtors to their creditors, continued afterwards in all its force, and occasioned the same complaints and violences, as had induced the People before to retire to the Sacred Mountain. This was the pretext Manlius employed for the attainment of his ambitious ends, well * knowing, that he could not use a more proper means for exasperating the populace, and attaching them to himself than the affair of the debts, which included indigence, ignominy, slavery, and torments. This oppression of the People augmented continually in succeeding years. The § poor citizens were seen delivered in crowds to the cruelty of their creditors by the decrees of the judges, and many houses of the Patricians turned into mournful prisons, where these unhappy wretches were confined, chained hand and foot.

A. R. 370.

A. R. 386.

† Eam capitis pœnam sancientiæ, sicut dixi, fidei gratia, horrificam atrocitatis ostentu novisque terroribus metuendam reddiderunt.

‡ Sunt quædam non laudabilia naturâ, sed jure concessa ut in XII tabulis debitoris corpus inter creditores dividi licuit: quam legem mos publicus repudiavit. QUINTIL. l. 3. c. 6.

Judicatos in partes secari à creditoribus leges erant, consensu tamen publico crudelitas postea erasa est. TERTUL. Apolog. c. 4.

* Fidem moliri cœpit: acriores quippe æris alieni stimulos esse, qui non egestatem modo atque ignominiam minentur, sed nervo & vinculis corpus liberum terrent. LIV. l. 6. c. 36.

§ An placeret scœnore circumventam plebem—corpus in nervum ac supplicia dare? & gregatim quotidie de foro addictos duci? & repleti vinctis nobiles domos? & ubicumque patricius habitat, ibi carcerem privatum esse?

Something

* Vid. fidei.

Something more than forty years after, the criminal passion and inhuman cruelty of a creditor in regard to a young citizen, who appeared in public with his back streaked with stripes, awakened the indolence of the Senate a little. The Consuls had orders to propose a law to the People to prohibit the imprisoning of any citizen for debt, and to give creditors a right only over the fortunes, and not the persons of their debtors. The law passed, and in consequence all who were confined for debt were set at liberty; and it was prohibited to imprison debtors for the future. Livy seems tacitly to condemn this law in saying: * “That one man’s crime gave a terrible blow that day to public credit, which is the strongest tie of society.”

A. R. 429.
Liv. l. 8.
c. 28.

This law was but a weak bulwark against the avarice and violence of creditors; for forty years after we find that it was necessary to revive it upon a like occasion, when the People retired to the hill Janiculum.

A. R. 465.
Val. Max.
l. 6. c. 1.

The subject I am now treating concerning the debts, continued always to excite great troubles at Rome to the end of the Commonwealth. It must give the reader a secret disgust for the Senate, who seem, if not to favour this disorder, at least to suffer it too passively, and not to oppose it with all the constancy, which the importance of the affair required, as well as the duty of a body; that ought to have considered themselves charged by their station with the defence of the poor, and established for the support of good order and union between the citizens.

But attention is to be had to the motives by which the magistrates regulated their conduct in respect to the debtors. Their great principle was, as Dionysius Halicarnassensis makes Appius say in express terms, “That the sacred pledge of public faith ought never to be retrenched from human society.” Cicero in his second book of Offices, where he treats this point with

* Victum eo die ob impotentem injuriam unius ingens vinculum fidei. LIV.

sufficient

sufficient extent, lays down the same principle. “† If
 “ faith be not kept, says he, no Commonwealth can
 “ subsist: and there is no faith, where debtors can
 “ exempt themselves from paying their debts.” The
 duty of magistrates, according to him, would be to
 prevent, as there are a thousand methods to do, the
 citizens from contracting debts, so as to involve the
 Commonwealth in the consequence. At least, when
 that misfortune happens, they ought to relieve them
 to the utmost of their power, and to prevent the un-
 happy consequences, that the extreme misery of the
 People may occasion. And this is what we have seen
 the Senate do. It fixes the interest of money lent at
 one *per cent*: it does not seem possible to make it less.
 However, ten years after, it reduces it to half an one.
 Sometimes it gives the debtors time to discharge their
 debts at different payments: sometimes it pays their
 debts out of the public treasury, taking proper secu-
 rity in behalf of the State: sometimes it discharges
 them of all arrears, and obliges them to pay only the
 interest. It prohibits creditors to use debtors deliver-
 ed up to them with cruelty; and afterwards it abso-
 lutely prohibits delivering them up at all. All these
 measures indeed did not entirely relieve the poor; and
 still left them in a kind of misery. But, * besides that
 on the part of the debtors there is often fraud, or at
 least negligence, the Senate was less affected with their
 condition, though worthy of compassion, than with the
 care of not hurting public credit.

Not to condemn the conduct of so wise a body as
 the Roman Senate lightly, let us go farther back, and
 consider what passed on this head amongst the Hebrews,
 who had God himself for their Legislator.

Every Hebrew who had borrowed upon his land,

† Nec enim ulla res vehementius rempublicam continet, quem
 fides quæ esse nulla potest nisi erit necessaria solutio rerum creditarum.
 Offic. l. 2. c. 84.

* Et sic quoque parte Plebis affecta, fides tamen publica privatis
 difficultatibus potior ad curam Senatui fuit. Liv. l. 7. c. 27.

could not re-enter into possession of it, till after his estate, which was delivered up to his creditors, had discharged his debts, or in the year of Jubilee, when all lands returned to their first owners. Without this severity, of which God himself was the institutor and guarantee, every individual might have inclined to borrow through confidence of never paying: or rather nobody would have lent, through fear, or a moral certainty, of never seeing their money again. What in such a case would have become of society, when all faith and credit would have been annihilated even by the protection of the laws and the magistrates? To whom could any one have had recourse in the most urgent necessity?

For the same reasons, a person who had no estate, of which he could renounce possession to reimburse his creditor, was abandoned to him by the law of God, to be his slave till the seventh year, before which the debtor could have no hopes of liberty.

So far, and in these two cases, the Roman polity, which perfectly resembled that of the Hebrews, was strictly just; and it cannot be blamed, without accusing God himself, who had established a like law amongst his people.

At Rome indeed the creditors abused it; as some creditors also did amongst the Hebrews. God reproaches those cruel and inhuman masters; he menaces them; he exhorts them to be merciful; he puts them in mind of their slavery in Egypt, and declares that he will punish their inhumanity. But these inconveniencies, foreseen and foretold by God, never induced him to abolish a law, which masters sometimes abused, as it is usual for the passions to abuse whatever is most legal. The inconveniencies and violences fell only upon a small number of individuals, which could not dissolve the bands of society: whereas the general impunity of debtors would not have failed to subvert entirely the Commonwealth of the Hebrews as well as that of the Romans.

Since

INTRODUCTION.

Since the establishment of Christianity, the most moderate and religious states have imprisoned those who fail to pay their bills of exchange, and other obligations to pay at fixed times. The law gives a right to seize the bodies of such defaulters, and to keep them in prison as long as they live, if they do not satisfy their creditors. The support of States subjects them universally to this rigour, notwithstanding the natural compassion for unhappy insolvents, because it is believed indispensibly necessary to take all possible precautions against breach of credit, much more natural and usual against men, than cruelty.

To judge equitably therefore of the Senate's conduct in respect to the affair in question, we must distinguish between the law of debts, which is full of justice and equity in itself, and the unjust abuse made of it. The Tribunes of the People, who regarded nothing but attaching the populace to themselves by any means whatsoever, and who had not the Public Good in view, often proposed the entire remittance of debts, which was called in Latin *novas tabulas*. Every one had an account in his books of the sums he had lent, with the hands of the borrowers to them; which was the creditor's security. The cancelling then of these accounts was evidently abolishing the debts. Solon, when he instituted new laws at Athens, used this method, which has been considered with reason as extreme injustice. What right had he to dispose in that manner of people's fortunes? To this first bait, so well adapted to allure the People, the Tribunes added a second, neither less dangerous nor unjust: this was a new distribution of lands. The Roman History resounds universally with the cries and tumults excited by these two seditious demands of the Tribunes, which we have seen always strongly opposed by the Senate as prizes that would infallibly induce the subversion of liberty, and the ruin of the state, which actually happened in the sequel.

Though there might have been some injustice in the first acquisition or usurpation of those lands, to reform that

that abuse, after a possession of so many ages, could not be attempted, without occasioning a general ruin and confusion in the fortunes of particulars. Aratus, amongst the Greeks, rightly perceived this inconvenience, and it is not without reason that Cicero highly extols the wisdom he shewed in a like conjuncture. Having re-taken Sicyon, and caused the Tyrant Nicocles to be put to death, he recalled six hundred of the most illustrious citizens, whom the tyrants had expelled, after having deprived them of their whole estates. But he found himself in great perplexity on this occasion. On the one side, he did not think it just that they should remain in necessity, whilst others enjoyed the houses and lands of which they had been deprived. But at the same time he judged it unjust to disturb a possession of fifty years; and the more, because during that time a great part of those estates, having either passed from hand to hand by successions, sales, or marriages, were possessed with good right by those who were actually seized of them. (And this was exactly the case of the possessors of lands at Rome.) To indemnify the possessors, required considerable sums. Aratus had recourse to the liberality of Ptolomy Philadelphus King of Egypt, his particular friend, who, upon the account which Aratus gave him of the difficulty he was under, made him a present of an hundred and fifty talents, that is, an hundred and fifty thousand crowns. This was indeed to be a King, and to know the true use and value of money! Aratus, on his return to Sicyon, accommodated every thing, without giving any one cause to complain. "O the great man, cries Cicero, how worthy he was of being born in our Commonwealth!"

At Rome, in the happy times of the Commonwealth, the well-inclined Senators and magistrates thought like Aratus, both in respect to the distribu-

* O virum magnum, dignumque qui in nostra republica natus esse!

Offic. l. 2.
n. 81, 82.
Plut in
Arat.
p. 1031.

Offic. 1. 2.
n. 78.

Ibid. n. 84.

tion of lands, and the remittance of debts; and from thence came their continual perseverance in opposing those two demands of the Tribunes. It was the same in the latter times. Cicero says expressly, "that to undertake to discharge debtors by the authority of the magistrate, or to pass the law so often proposed for the distribution of lands, is to sap the two principal foundations of the Commonwealth; of which the one is peace between the citizens, which could not subsist, if creditors were to lose their fortunes by the discharging of debtors; and the other justice, which is entirely subverted, from the instant no one can assure himself of continuing peaceable possessor of his right." The Agrarian law, which had for its object a new distribution of the lands possessed by the Rich, and which was so vigorously pursued by the Gracchi, brought the Commonwealth to the very brink of destruction, and cost those two illustrious brothers their lives, though estimable in other respects for many excellent qualities. The affair of the debts was also brought on again in the Consulship of Cicero, as himself informs us, and was urged with abundance of vivacity. "So many efforts were never made for remitting debts, as in my Consulship. It was carried so far as taking of arms, and setting troops on foot; and persons * of all ranks and conditions entered into the conspiracy. But they found so vigorous an opposer in me, that the Commonwealth was entirely delivered from that danger. There never were so many debtors, nor ever were payments made with more fidelity, nor less trouble to creditors. For when people saw themselves incapable of using fraud, they thought only of discharging themselves."

Usury was undoubtedly permitted by the Roman laws: but the bad conduct of the borrowers supplied lenders with occasions of exercising usury with less re-

* They were excited to it by Catiline, and supported by Julius Cæsar.

INTRODUCTION.

289

serve. Accordingly we see in all I have hitherto related, that usury, one of the principal causes of the debts contracted by the poor, could never be reformed at Rome, whatever attention the magistrates might have to put a stop to the progress of that disorder by wise regulations, which the surprizing evasions of avarice always rendered ineffectual. *Multis plebiscitis obviatum fraudibus: quæ totiens repressæ, miras per artes rursum oriebantur.* Tacit. Annal. l. 6. c. 16.

T H E

R O M A N H I S T O R Y

B O O K T H E E I G H T H.

THIS eighth book contains the history of thirty-seven years, from the accusation of Manlius in the 393d year of Rome to the Dictatorship of Papirius Cursor, who is for putting Q. Fabius, general of the horse, to death, for having fought the Samnites during his absence, and contrary to his orders, the 430th year of Rome.

S E C T. I.

Manlius is obliged to abdicate the Dictatorship. He is accused by the Tribunes, and saved by his son. Tribunes of the legions nominated by the People. M. Curtius votes himself to the Dii Manes, and leaps into an abyss. Bad success of the first Plebeian Consul. The Hernici defeated by the Dictator Appius Claudius. Signal victory of young Manlius over a Gaul. Alliance renewed with the Latines. The Gauls defeated again by the Dictator Sulpicius. Law which fixes the interest of money at one per cent. Another law passed in the camp, which impose a new tax upon the manumission of slaves. Prohibition to assemble the People out of the city. Licinius Stolo condemned by his own law. Dictator chosen out of the People for the first time. Two Patrician Consuls.

SERVILIUS, GENUCIUS, Consuls.

291

Vengeance taken of the inhabitants of Tarquinii. The Roman People pardon the city of Cære. The Plebeians re-instituted in the Consulship. Affair of the debts terminated.

CN. GENUCIUS.

L. ÆMILIUS II.

A. R. 392.
Ant. C.
360.

WE have seen in the preceding book, that Manlius, appointed Dictator for driving the nail into the temple of Jupiter, did not confine the exercise of his office to the religious ceremony for which he was created Dictator. He determined to attack the Heretici, and for that purpose applied himself to making the Levies. The Roman youth opposing him, he proceeded to violence. Some he fined, some he caused to be scourged with rods, and others he committed to prison: till at length all the Tribunes of the People rising up against him, he was obliged to give way, and to abdicate the Dictatorship.

Liv. 1. 7.
c. 3—5.

Q. SERVILIUS AHALA II.

L. GENUCIUS II.

A. R. 393.
Ant. C.
959.

As soon as Manlius had abdicated, he was accused before the People by the Tribune M. Pomponius. The accusation brought against him was for his irregular and rigorous conduct in the Dictatorship. The Tribune at the same time took pains to render him odious by his savage disposition, and the cruelty of his behaviour, not only to strangers, but to his own son. He reproached him, "That having a son of age to appear in the world, against whom he had no cause of complaint, he banished him far from the city, from his home, his household Gods, the Forum, and com-

* Crimini ei Tribunus inter cætera dabat, quod filium juvenem nullo probri compertum, extorrem urbe, domo, penatibus, foro, luce, ingressu æqualium prohibitum, in opus servile, prope in carcerem, ac in ergastolum dederit: ubi summo loco natus Dictatorius juvenis cotidiana miseria disceret, verè imperioso patre se natum esse. At quid ob noxam? Quia infacundior sit, & lingua inpromptus. LIV. de Legatus à patre ob adolescentiam brutam & hebetem. SENECA. de Senect. 1. 3. c. 37.

A. R. 393.
Ant. C.
359.

merce with those of his own age, and condemned him to servile works, and a prison almost like a slave where a young man, of so illustrious birth, the son of a Dictator, had room to learn every day from his misery, that it was not without reason the title of Imperious had been given to his father. And for what crime is he treated with so much rigour? Why, because he does not speak readily. Ought not a father who had any natural affection in him, to endeavour correct such a defect by gentle methods, rather than to render it still more remarkable by the cruelty with which he treats his son. The brute beasts themselves do not nourish their young with the less care and tenderness upon account of some deformity. Manlius on the contrary, by his manner of governing his son adds bad to bad. He augments the natural slowness of his parts; and if he has any seed, any spark of good disposition in him, he stifles and suppresses it by a country life, a rustic education, and reducing him to the society of beasts."

These invectives incensed the whole city against Manlius, except only him who was the subject of the rigour with which his father was so much reproached. Not being able to bear that he should be made odious as he was informed he was, upon his account, he determined to make known to Gods and men, by a remarkable action, that far from favouring his father's accusers, he would defend and assist him. Accordingly * he formed a resolution, which savoured indeed of a rude manner in which he had been brought up, and was without doubt of dangerous example in a State; but, however laudable in the motive from which it proceeded. One morning, without apprizing any body, he came to the city armed with a dagger, and went directly to the house of the Tribune Pomponius, who was still in bed. He told his name, and was immediately brought in, because the Tribune did not doubt

* Capit consilium, rudis quidem atque agrestis animi, & quantum non civilis exempli, tamen pietate laudabile. Liv.

but the young man, incensed against his father, had either some new subject of accusation to suggest against him, or some counsel to give him upon the manner in which he was to conduct the affair. Young Manlius desired a moment's private discourse with him: and as soon as he saw himself alone with the Tribune, drew out his dagger, presented it to his breast, and declared that he would kill him that instant, if he did not swear in the form he should dictate, "never to hold the assembly of the People for accusing his father." * The trembling Tribune, who saw the dagger glittering at his breast, himself alone, without arms, attacked by a robust young man, and which was not less to be feared, one full of a brutal confidence in his own strength, took the oath demanded of him, and afterwards confessed with a kind of complacency in the thing, and a sincerity which sufficiently argued he was not sorry for what he had done, that it was that violence which obliged him to desist from his enterprize.

This action is without doubt irregular in itself: but that defect is covered in some measure by the generosity and filial piety, which shine out in it with great lustre. And it was in that light the Roman People judged of it. Though they would gladly have handled so haughty and cruel an accused person as Manlius Imperiosus with severity; they could not disapprove the bold step of his son to save his father. They thought it even the more laudable, as the excessive rigour of Manlius in regard to that son, had not been capable of extinguishing the sentiments of nature in him. The People believed themselves obliged to reward an action so generous and so full of piety, as I shall soon observe.

We see here in the person of young Manlius an illustrious example of what the sentiments of nature can and ought to produce in the heart of a son, and of

* Pavidus Tribunus (quippe qui ferrum ante oculos micare, se so-
lam, inermem, illum prævalidum juvenem, & quod haud minus timen-
dum erat, stolidè ferocem viribus suis cerneret) adjurat in quæ adactus
est verba. Liv.

A. R. 393.
Ant. C.
359.

the highest degree of respect and tenderness he is capable of having for a father. The writers of the Pagan world well knew the whole extent of this duty, and have strongly and often insisted upon the obligation of children * not only to dissemble and conceal the ill treatment they may receive from their fathers and mothers, but to suffer it with a submission and patience of proof against the most flagrant injustice. Was ever son treated more unjustly by his father, than young Manlius? It is, however, at the very time he experiences the most cruel rigour from him, and may see himself revenged and delivered, without contributing in the least to it on his part, that he flies to his defence, and solely engrossed by the desire of saving his father, and the thought that he is a son, forgets all other duties.

From this principle the same Pagans inferred another duty, still more indispensable according to them, which was to continue inviolably attached to their country, whatever injury they might receive from it. † It is for her to testify her gratitude for the services rendered her by citizens: but the worst usage, even punishment itself, ought not to make a citizen of true greatness of soul repent his having served his country with zeal and fidelity. This is the important lesson given us by Camillus. In the first moments indeed of his affliction, a desire little worthy of him escaped him in respect to his ungrateful country, which shewed ‡ how sensible the greatest men are of ignominy. But after that first emotion, the natural sentiments of his heart soon take place, and banishment serves only to awaken and augment his zeal for the same country, and to make it appear in a more distinguished light.

* Facile intelligo, non modò reticere homines parentum injurias, sed etiam animo æquo ferre oportere. Cic. pro Cluent. n. 17.

† Populi grati est præmiis afficere bonè meritos de rep. cives: viri fortis, ne suppliciiis quidem moveri, ut fortiter fecisse poeniteat. Cic. pro Mil. n. 22.

‡ Habet quemdam aculeum contumelia, quem pati prudentes ac viri boni difficillimè possunt. Cic. Var. 4. n. 95.

In a monarchy (1) the subjects owe a king all that citizens owe their country in a republican government.

A. R. 393.
Ant. C.
359.

I have said that the action of young Manlius was rewarded by the People, who nominated him Tribune of a legion: a considerable favour, which was only granted to the zeal he had shewn in defence of his father, as that young Roman, having been educated till then in the country, could not have made himself known in any other manner.

This is the first time, that the People disposed of these military dignities, which are generally understood to be of the same rank with a modern colonel. But there is, however, a considerable difference between them. In each legion were six Tribunes, each of whom did not command a certain determinate part of the legion, but the whole legion in their turns. Two commanded two months, and were afterwards relieved by two others, and so on. The Consuls had conferred these employments till now; which were twenty-four important posts in their disposal. For as we have said just above, there were six Tribunes in each legion, and the number of legions raised every year were generally four, two for each Consul. The People began this year to dispose of six of these places, and gave the second to Manlius. Fifty years after, of the four and twenty Tribunes, they nominated sixteen.

The same year the earth is said to have opened and formed a kind of very deep gulph in the Forum, which could not be filled up, though great quantities of earth were thrown into it for that purpose. According to the usual custom in such cases, the Soothsayers were consulted, who answered, that if the Romans would have the duration of their empire eternal, they

Liv. l. 9.

^{30.}
Ibid. l. 8.

6—8.

(1) Mr. Rollin means, we suppose, as long as he continues to be a King, that is to say, the Father, the Common Good of his People: for then duty to him is no doubt duty to one's country; and consequently we may say with him, "In a monarchy subjects owe such a King all that citizens owe their country in a Republican government."

A. R. 393.
Ant. C.
359.

must throw what constituted their principal force into that abyfs. They were at a lofs for fome time to comprehend the fenfe of this answer, when a young man named M. Curtius, who had diftinguifhed himfelf by a great number of noble exploits in war, came unexpectedly into the Forum completely armed, and mounted on an horfe in magnificent furniture. He faid, that he was furprized they fhould be in a moment's fufpence about what constituted the principal ftrength of the Romans, which were arms and valour: he then devoted himfelf to the Dii Manes, and leapt into the gulph, which immediately, fays the ftory, closed upon him. This place was afterward called, The lake of Curtius. Livy * relates this fact, without vouching for the truth of it, finding it only fupported by popular tradition; whereby he confeffes clearly enough, that he confiders it as fabulous; and in his firft book he has related a lefs marvellous, but more probable origin of the name of the Curtian Lake.

However it were, after this event, the Roman army marched againft the Hernici under the command of Genucius, to whom that province fell by lot. He was the firft Plebeian Conful, who was charged with the conduct of a war. On this account the Commonwealth expected the event with anxiety, becaufe from this firft fuccefs people would not fail of judging concerning the reafonablenefs of admitting Plebeians into the Confulship. Genucius unfortunately fell into an ambufcade, where he was killed, and the army put to the rout. When that news arrived at Rome, the Senators, lefs afflicted for the danger of the public, than triumphant on account of the bad fuccefs of a Plebeian Conful, vented a thoufand reproaches on all fides, telling the Plebeians with infult, " That they might change the ancient cuftoms as they pleafed: that they might create Confuls out of the People, and difturb the eftablifhed order of the auguries and f acred cere-

* Nunc famâ rerum ftandum eft, ubi certam derogat vetuftas fides.
Liv.

monies: That by an ordinance of the People they might deprive the Patricians of the honours that appertained to them: but would such illegal ordinances take place, or have any power against the immortal Gods? That the Gods themselves had avenged the contempt of their divinity. That the violation of the auspices, punished by the defeat of the army and the death of the general, who had profaned the sanctity of them, was a terrible lesson, that ought to teach the People not to interrupt in the assemblies, as they had done, the rights and privileges of families." The Senate and Forum resounded with discourses of this kind.

Appius Claudius, who had been the most strenuous opposer of this law, was declared Dictator, and chose Servilius for his general of the horse. Before they arrived at the army, Sulpicius the lieutenant, had gained some advantage over the enemy. As the latter assured themselves, that the Romans would be reinforced from the city, they also augmented their troops, with the whole flower of their youth. The two armies no sooner came in view, than the signal was given. The action was very rude, and the success long doubtful. The loss on both sides was very considerable, and fell principally upon the officers, who engaged with great ardor in the battle. Abundance of the Roman knights who had dismounted to sustain the foot fell in it: But the Hernici at length were broke and put to flight. Night prevented them from being pursued. The next day they abandoned their camp, which the Romans took.

C. SULPICIUS II.

C. LICINIUS II.

A. R. 394.
Ant. C.
358.

The Romans in the following years had some wars of small importance against the neighbouring people: that against the Gauls gave them most apprehension, and occasioned the nominating a Dictator. They were advanced within three miles of Rome. The Romans

Liv. I. 7.
C. 9-11.

A. R. 394.
Ant. C.
358.

Romans marched against them. The two armies continued sometime in fight of each other without coming to action, separated only by the bridge over the Anio. A Gaul of an enormous stature advanced upon that bridge, and cried out with a loud voice: "Let the bravest of the Romans come out and fight me, that the success of the combat may shew which of the two nations has the most valour." His uncommon size intimidated the boldest; when T. Manlius, the same who had signalized his piety in respect to his father, went to the Dictator. "I should be far from engaging in a combat, said he, without your orders, even though I were sure of victory. But, if you will afford me your permission, I will teach this challenger who insults us, that I am of the family who drove the Gauls from the top of the Tarpeian Rock." The Dictator, after giving him great praises, bade him go and sustain the honour of the Roman name. The champion armed and advanced to the bridge, where he found the Gaul, who in the pride of his enormous strength triumphed already, and put out his tongue by way of derision and insult; which circumstance Livy repeats after the ancient historians. To judge from their outsides, the match seemed extremely unequal. The splendid part of the shew was entirely on the side of the Gaul: extraordinary stature, habit of different colours, with arms painted, and adorned with gold. The Roman was of a reasonable size, and such as one would desire in a soldier. His arms were rather adapted to use, than intended for beauty. He was not heard to raise any cries, or make any violent motions in advancing: but full of intrepid courage, and tacit indignation, he reserved all his efforts for the combat. When they were near each other upon the bridge, in view of both armies anxious for their success and fluctuating between hope and fear, the Gaul heavy and huge, advancing his buckler on his left before him, discharged with a great noise a blow of his sabre upon the arms of the Roman, who raising the point of the sabre

LÆNAS, MANLIUS, Consuls.

299

fabre with his shield, and dexterously placing himself out of the reach of his blows by closing in, thrust his sword into his belly, and laid him dead at his feet. He then took only one chain of his spoils, which he immediately put about his own neck. Whilst terror and amazement kept the Gauls motionless, the Romans full of joy advanced to meet the young victor, and with the highest praises conducted him in triumph to the Dictator. Amidst their acclamations of joy the soldiers were heard to give him the surname of Torquatus*, which his posterity retained ever after, and it became a title of honour to his family. The Dictator made him a present of a crown of gold, and in the presence of the whole army exalted the glory of his victory by the great praises he gave him. It was attended with an immediate good effect; for the Gauls considering the event of this single combat as a bad omen to them, abandoned their camp the night following, and retired in disorder into the territory of the people of Tibur, who, according to some authors, had engaged them in this war.

A. R. 394.
Ant. C.
353.

C. PETELIUS BALBUS.

A. R. 395.
Ant. C.
357.

M. FABIVS AMBUSTVS.

The war against the Hernici fell by lot to Petelius, as that against the Tiburtini did to Fabius. The Gauls approached Rome. On that news a Dictator was created, according to the established custom of those times in wars with the Gauls. A battle ensued, which was warm and long disputed. The Gauls were at length put to flight, and retired to Tibur. Each of the two Consuls succeeded also on their side.

Liv. l. 7.
C. 11.

M. POPILIUS LÆNAS.

A. R. 396.
Ant. C.
356.

CN. MANLIUS.

The Tiburtes had also the boldness to approach Rome; but they were repulsed with loss.

* This surname is derived from the Latin word Torques, a chain or gorget; which was an ornament worn by the Gauls.

C. FA-

A. R. 397.
Ant. C.
355.

C. FABIVS.
C. PLAUTIUS.

Liv. l. 7.

c. 12—15.

A new attack on the side of the Gauls obliged the Romans to take the field again. Those people were highly exasperated against Rome. Besides their hopes of booty, they sought to revenge the defeats of their countrymen. The neighbouring states and enemies of Rome, however incommodious these guests were, retained them also as long as they could amongst them, in hopes of ruining, if possible, or at least of humbling, the Roman power. In the midst of these alarms, the Romans were exceedingly consoled by the aid they received from the Latines, with whom they had lately renewed the ancient treaty, which had long been suspended and not executed. After having chosen Sulpicius Dictator, they marched against the Gauls. The troops on both sides desired a battle with the utmost ardor. The Dictator, who was wise and experienced, did not give himself up to the same restless warmth. * He did not believe it adviseable to hasten a battle without necessity with an enemy, whose troops diminished every day in a strange country, where they had neither laid up provisions, nor formed intrenchments, and who besides, whether considered as to force of body or courage, had only a first fire, a transient vivacity, that relaxed and expired, if suffered to cool by ever so small a delay. For these reasons the Dictator protracted the war, and had prohibited fighting without orders upon pain of the greatest severity. The soldiers suffering this prohibition with regret, complained of it amongst themselves on their guards, speaking very ill of the Dictator, and sometimes of the whole Senate, for not confiding this war to the Consuls. They said by way of ridicule, "That

* Dictatori neutiquam placebat, quando nulla cogeret res, fortuna se committere adversus hostem, quem tempus deteriore in dies & locus alienus faceret, sine præparato commeatu, sine firmo munimento manentem; ad hoc iis animis corporibusque, quorum omnis in impetu vis esset, parvâ eadem languesceret morâ. Liv.

they

they had made choice of an excellent general, a chief of peculiar merit, who flattered himself, that victory would drop into his hands out of the sky, without his being at any trouble whatsoever." They held the same discourses afterwards in public, and went still farther in declaring, "That they would fight without the Dictator's orders, or return one and all to Rome." The Centurions joined the soldiers, and then they talked in that manner no longer by small parties, but loudly demanded in crouds around the general's tent, to have an audience of the Dictator; and that Sex. Tullius should speak to him in their name.

He was one of the bravest officers in the army, and then for the * seventh time Primipilus, or principal captain of a legion, and had distinguished himself by a thousand glorious actions. He could not refuse himself to the eagerness of the troops, and went with them to the tribunal of Sulpicius, who was much surprized at seeing so great a multitude of soldiers, and still more an officer at their head, who had distinguished himself hitherto no less by his submission and obedience, than by his valour. "The whole army," says he, addressing himself to the Dictator, "believing you condemn them for cowardice, and that you keep them in a manner † disarmed by way of punishment, have desired me to plead their cause before you. And certainly, though you could reproach us with having done our duty ill upon some occasion, with having fled before the enemy, with having shamefully abandoned our colours, I should however believe it reasonable to ask of you as a favour, that you would permit us to repair our fault, and to wipe out the disgrace of it by some glorious action. The same legions who had been routed at Allia, by their courage soon after recovered Rome

* In those days the Roman legions and officers were disbanded every year at the end of the campaign; and the next a new levy of troops and creation of officers were made.

† He alludes to a kind of punishment used at that time amongst the soldiers, from whom their arms were taken, when they had failed in their duty.

A. R. 397.
Ant. C.
355.

“ and their country, which their precipitate conster-
 “ nation had lost. As for us, thanks to the favour
 “ of the Gods, as well as to your own and the good
 “ fortune of the Roman people, the condition of our
 “ affairs and glory are yet whole and unblemished.
 “ Though indeed I can scarce say our glory is unful-
 “ lied, whilst the enemy, who see us shut up in our
 “ camp like women, load us with reproaches and in-
 “ sults; and, what still affects us more sensibly, whilst
 “ yourself, our general, consider your army as hav-
 “ ing neither arms nor courage, and before you have
 “ put us to the trial, entirely despair of us, as if you
 “ had no soldiers but such as knew neither the use of
 “ their hands nor their swords. And indeed, for
 “ what other reason can we suppose, that a brave and
 “ experienced general as you are, should lie still here,
 “ with your arms a-cross, as they say, and doing no-
 “ thing? For, however it be, it is more probable and
 “ more reasonable that you should doubt our courage,
 “ than we yours. But if the plan you follow is not
 “ your own, but suggested to you; if this be not a
 “ war with the Gauls, but a contrivance, a conspi-
 “ racy of the Senators, to keep us at a distance from
 “ our homes, our household-gods, I desire you to con-
 “ sider what I am going to take the liberty to say to
 “ you, as the discourse, not of soldiers to their gene-
 “ ral, but of the People, who have their interests to
 “ support as well as you yours, to the Senate. And
 “ who in effect can be offended, that we should con-
 “ sider ourselves as soldiers, not as your slaves; as
 “ sent to war, not into banishment; that we should
 “ demand that the signal be given for us to fight, as
 “ becomes men of courage and Romans? If not, let
 “ us rather lie still at Rome, than in camp. Such is
 “ the discourse we should hold to the Senators. But
 “ here as dutiful soldiers we address our prayers to
 “ you as to our general, that you would give us per-
 “ mission to fight. We desire to conquer, but to
 “ conquer by your orders, to acquire you the glori-
 “ ous wreath of victory, to enter Rome in triumph
 “ with

“with you, and to follow you to the Capitol full of joy and glory to return solemn thanksgivings to great Jupiter.” The discourse of Tullius was followed by the prayers of the whole multitude, who surrounded the Dictator’s tribunal, and all together demanded, that the signal should be given, and that they should be permitted to take arms.

Though the Dictator saw well, that this demand, good in itself, might be attended with pernicious consequences, he promised to comply with their request, and taking Tullius aside, expressed his surprize in respect to the commission, with which he had charged himself. Tullius began by desiring “He would do him the justice to believe, that if he had acted in that manner, it was neither out of contempt of military discipline, forgetfulness of himself as a simple officer, nor want of the obedience which was due to his general. That the reason he had not refused himself to the incensed multitude, which generally follows the bent given them by their leaders, was lest they should make choice of some such person as they usually do in such commotions: that as for himself, he should always submit to his commands. But, that the Dictator ought not to believe, that it was easy for him to keep the army within bounds, and that the thing required his serious thoughts. That in the present ferment and emotion of the soldiers, all delays were dangerous; and that it was more than probable, they would pitch upon a time and place for a battle themselves, if the general refused to do it for them.”

Whilst they were talking to this effect, a Gaul happened to carry off some horses that were grazing without the works, and two Roman soldiers took them from him. Several Gauls pursued the latter with stones. Abundance of troops joined both sides, and a battle in form would have ensued, if the Centurions had not made the Romans retire. This event shewed the Dictator, how much truth there was in what Tullius had told him. The thing admitting no delay, he

caused

A. R. 397
Ant. C.
355.

A.R. 397. caused notice to be given the troops to prepare for battle the next day.
Ant. C.
355.

As the Dictator relied more upon their courage than number, he considered upon some stratagem, some address, for spreading terror amongst the enemy. Accordingly he hit upon one, which several generals have since used with success, and amongst others Marius in the battle against the Teutones. This was to take the packs off the mules, to leave each of them only two pieces of stuff on their backs hanging down on each side, and to make the servants of the army mount them in the armour taken from the enemy, and that of the sick. Almost a thousand were equipped in this manner, to whom an hundred horse were added, and in the night they were made to ascend the eminences above the camp, with orders to keep close in the woods, and not to quit them till a signal was given. After this shadow of terror was disposed thus, which did almost more service than effective and real forces, preparation was made for the battle. Sulpicius, at the break of day, began to extend his troops along the foot of the mountains, in order that the enemy might draw up in the front of them. The generals of the Gauls believed at first, that the Romans would not advance into the open field; but when they saw them in motion, as they ardently desired to come to blows, they also advanced, and the action began before the signal was given.

The Gauls charged the right wing with great vigour, and it could not have sustained their attack, if the Dictator had not been present to support it, who calling upon Sex. Tullius by his name, asked him with warm reproaches, "Whether it was in that manner he had promised that his soldiers should fight? what was become of the cries with which they demanded permission to take arms, and their threats to fight without waiting the generals orders?" "Here," added he, "is your general, calling loudly upon you to give battle, and setting you the example, armed

" as

as you see him at the head of you. Where are these brave men, who were to lead me the way? At least will they follow me; bold in the camp, but timorous in action." These reproaches were well founded: and accordingly they worked so strongly upon them, that insensible to danger, they threw themselves upon the enemy like madmen. This first attack began to make the Gauls give way, and the horse put them into disorder. The Dictator took that occasion to repair to his left wing, where he saw the enemy in great numbers behaving vigorously, and gave the signal agreed on for those on the eminences to appear. Immediately a new cry was heard, and new combatants shewed themselves, who seemed to march along the side of the mountain towards the camp of the Gauls. The latter upon that, through fear of having their communication cut off, gave over fighting, and retreated precipitately towards their camp. But finding Valerius the general of the horse there, who after the defeat of the left wing of the Gauls, had advanced with his squadrons to the enemy's intrenchments, they turned their flight towards the mountains and forests, where they were received by the false cavalry, who made a great slaughter of them. No general since the great Camillus had triumphed with so just a title over the Gauls as Sulpicius. He also deposited in the Capitol, in the treasury built with great hewn stones, a very considerable quantity of gold, which was part of the spoils.

The same year the Consuls marched against some of the neighbouring states, but with very different success. Plautius defeated and subjected the Hernici. Fabius his colleague engaged rashly in an action with the Tarquinienſes. The loss in the battle was not considerable in itself; but it became so by the murder of three hundred prisoners, whom the Tarquinienſes sacrificed to their revenge.

The Privernates and Veliterni made also some incursions into the Roman territories.

A. R. 397.
Ant. C.
355.

Two new Tribes were added to the old ones, which made the number twenty-seven.

The games vowed by Camillus were now celebrated.

The same year a law was passed for the first time against canvassing elections, to check the ambition of the New Men, that is to say of the Plebeians, who took abundance of pains to attain the Consulship. The substance of this law is not mentioned.

A. R. 398.
Ant. C.
354.

C. MARCIUS.

CN. MANLIUS, II.

Liv. l. 7.
c. 16.

A law very agreeable to the People passed this year. It related to the interest of money lent, which it fixed at one per Cent. per Annum. This was called *unciarium fœnus*. Amongst the Romans *uncia* signified the twelfth part of any thing whatsoever. The interest of one per Cent. per month, twelve per Cent. a year were called *centesima usuræ*. The *fœnus unciarium* was the twelfth part of the *usuræ centesima*, and consequently was one per Cent. a year.

In this manner Gronovius, and most of the Learned explain the *fœnus unciarium*, that is to say, one per Cent. per Annum; and the * Twelve Tables fixed lawful interest at that rate. How moderate soever it was, it still was thought excessive, and ten years after, as we shall soon see, this interest was reduced one half. Interest was at last entirely prohibited. Indeed, whatever care the magistrates took to put a stop to this disorder by wise ordinances, avarice, stronger than all laws, constantly found means either to escape their effect by cunning, or openly to force their feeble barriers. But the spirit of the law was clear; and unless they were wilfully blind, many of the Pagans were sensible of the wickedness of usury, and its con-

* Primo duodecim Tabulis sanctum, ne quis unciario fœnore amplius exerceat, cum antea ex libidine locupletium ageretur. Dein rogatione Tribunitia ad fœnuncias reducta. Postremò vetita versura multisque plebiscitis obviam itum fraudibus, quæ totiens repressæ, minus per artes rursus oriebantur. TACIT. Ann. l. 6. c. 16.

trariety to the Law of Nature. For from what other principle could the absolute prohibition of lending upon usury flow? The interest of one half per Cent. *semunciarium fenus*, for instance, thirty pence for an hundred crowns, was it capable of ruining particulars? Paganism however strictly condemned it†. Cicero, and after him St. Ambrose, have preserved a memorable answer of ‡ Cato the Elder's. Upon being asked what he thought of usury, he replied with indignation; "What, why to commit murder." These words contain a great deal. "You ask me," said he, "what harm there is in lending at usury? And I ask you, what harm there is in killing a man?" The wisest politicians have considered it as the ruin of states; of which the Roman History supplies us with abundance of proofs. What then ought Christians to think of it, to whom God has expressly forbade it in an infinity of places in Holy Scripture. I shall repeat only one. "If thy brother be waxen poor, and fallen in decay with thee, then thou shalt relieve him, yea though he be a stranger, or a sojourner, that he may live with thee. Take thou no usury of him, or increase, but fear thy God, that thy brother may live with thee. Thou shalt not give him thy money upon usury, nor lend him thy victuals for increase." The rule here is most evident, against which all arguments are useless, to say no more. When the master speaks, and what Master! all must be silent and obey.

The two wars made at this time against the Falisci and Privernates, were little considerable.

One of the two Consuls, Cn. Manlius, who was near Sutrium, having assembled his troops by Tribes, passed a law in the camp, a thing that had no example. This law related to the manumission of slaves,

† A quo (Catone) cum quæreretur, quid maximè in re familiari impediret, respondit, "Bene pascere." — Et cum ille qui quæsierat dixisset, "Quid scenerari?" Tum Cato: "Quid hominem," inquit, "occidere?" Cic. Offic. l. 2. c. 89. Apud AMBROS. de Tob. c. 14.

‡ What Plutarch tells us of the same Cato in his life, shews that he was not always so rigid in his practice with respect to usury.

A. R. 399.
Ant. C.
334.

Levit. i
xxv. 35.
&c.

A. R. 398.
Ant. C.
354.

and ordained, that he who made one free, should pay the twentieth part of his value into the public treasury. The Senators confirmed this law, because it would bring a considerable revenue into the treasury, that was not rich: which shews that making slaves free was a common and frequent practice. The Tribunes, less concerned about the law itself, than the consequences such an example might have, prohibited the assembling the People in that manner out of the city and the sight of the magistrates upon pain of death. And indeed there was no law, how pernicious soever it might be, which the soldiers, obliged by oath to obey the Consuls, might not be made to pass.

This custom of affranchising slaves shews, that the humanity and equity of masters were very great at Rome, as they were so much inclined to give those that pleased them their liberty, and were not prevented by losing the advantages made by an industrious and laborious servant. On another side, we cannot sufficiently admire the attention of the commonwealth to augment the number of its citizens, by giving the freedom of Rome to a slave as soon as his master had manumitted him.

About
25 l. sterl.

The same year, at the prosecution of M. Popilius Lænas, C. Licinius Stolo was fined ten thousand asses, for possessing, contrary to the law passed by himself, a thousand acres of land, of which he held one half in his son's name, whom he had emancipated in order to elude that law.

A. R. 399.
Ant. C.
353.

M. FABIVS AMBUSTVS, II.

M. POPILIVS LÆNAS, II.

Liv. l. 7.
c. 17.

The first of these Consuls was charged with the war against the Tiburtes, which had no considerable enemies. The other marched against the Falisci and Tarquiniienses. The priests of the latter, charging in the battle with burning torches and a kind of * serpents,

* Anguibus prælati. Liv. id est, ut scribit Florus de Fidenatibus agens. Lib. 1. c. 12. Discoloribus serpentum in modum vittis.

SULPICIUS, VALERIUS, Consuls.

309

which they had imitated the figure with ribbands of different colours, spread confusion at first by that appearance of furies amongst the Roman troops. But upon the sharp raillery of the Consul and other officers, they soon recovered themselves from that vain terror, and made themselves full amends for the shame it had caused them by the defeat of the enemy, whose camp they plundered.

A. R. 399.
Ant. C.
353.

A war with Hetruria ensuing, a Dictator was created, who then for the first time was elected out of the People. He was called C. Marcius Rutilus : and nominated C. Plautius general of the horse, who was also a Plebeian. This new creation exceedingly afflicted the Senate, who did their utmost to cross the expedition of a Plebeian Dictator. He set out from Rome, marched against the enemy, defeated them on several occasions, killed a considerable number of them, and took eight thousand prisoners. On his return to Rome, he triumphed by a decree of the People, in which the authority of the Senate had no part.

C. SULPICIUS PÆTICUS, III.

A. R. 400.
Ant. C.
352.

M. VALERIUS PUBLICOLA.

These Consuls were not elected till after several Interregna. They were both Patricians. The Plebeians had at this time been admitted to the Consulship eleven years.

Liv. l. 7.
c. 18.

Wars abroad gave the Romans little employment : but the disputes between the two orders of the state were very warm at home, especially when the assembly for the election of magistrates was to be held. The Consuls thought, that being both Patricians who had received the Consulship, it was not only an instance of address and courage, but an engagement of honour, for them to transmit it in like manner to two Patricians. They could not bear the division of it, and persuaded themselves, that it was necessary either to abandon it entirely to the People, or deprive them

A. R. 400. them entirely of it. The Plebeians on their side,
 Ant. C. foaming with rage, exclaimed, " That they should
 352. be unworthy of living, and of the name of citizens,
 if all of them together could not preserve a privilege,
 which the courage of only two of them (Sextus and
 Licinius) had acquired. That it were better to bear
 the yoke of Kings, than that of Decemvirs, or any
 other still more odious, than to suffer two Patricians
 in the Consulship together, and consent, that of the
 two orders of the State, which ought to divide autho-
 rity between them, the one should always lord it in
 the government, and the other be condemned to eter-
 nal slavery."

The Tribunes did not fail to blow up the flame of
 discord; but the minds of the People were so gene-
 rally and so strongly heated already, that in the univer-
 sal emotion, their chiefs had no room to distinguish
 themselves. The assembly was held several times, and
 nothing concluded. The People, at length compelled
 to yield to the tenacious obstinacy of the Consuls, re-
 tired in the greatest indignation, and followed their
 Tribunes, who cried out, that there was an end of
 liberty; and that it was necessary to quit not only the
 field of Mars, but the city too, reduced as they were
 to an infamous slavery under the despotic authority of
 the Patricians. The Consuls, abandoned by part of
 the People, did not fail to continue the assembly,
 as little numerous as it was, which nominated for
 Consuls,

A. R. 401.
 Ant. C.
 351.

M. FABIVS AMBUSTVS, III.

T. QVINTIVS.

The two wars made this year, the one against the
 Tiburtes, and the other against the Tarquinienfes,
 were successful. The latter sustained a bloody de-
 feat. Amongst the prisoners, of whom the number
 was considerable, three hundred and fifty-eight of the
 principal were chosen out and sent to Rome; the rest
 were put to death. Rome did not treat those who had
 been reserved with less severity. By way of reprisals
 for

SULPICIUS, VALERIUS, Consuls.

311

for the same number of Romans, who had been sacrificed at Tarquinii in the public place, they were scourged with rods, and then beheaded in the Forum at Rome.

A. R. 401.
Ant. C.
351.

The Romans now made an alliance with the Samnites, who sent to demand their amity.

The creditors continued to oppress their debtors in a cruel manner. This made the People, who were more affected with their own miseries than the honour of their order and the public interest, concern themselves little in respect to elections. Two Patrician Consuls were again chosen.

C. SULPICIUS PÆTICUS, IV.

M. VALERIUS PUBLICOLA, II.

A. R. 402.
Ant. C.
350.

T. Manlius was created Dictator for a war against the city of Cære, which had assisted the Tarquinienſes in ravaging the territory of Rome. The declaration of war opened the eyes of the unfortunate Cærnites, and made them sensible both of the wrong they had done, and their inability to oppose the Romans with open force. They therefore employed more effectual arms, in having recourse to their clemency. "After having confessed their crime, which they considered rather as the effect of blind and involuntary phrenzy, than of a resolution taken in cool blood, they put the Roman people in mind by their ambassadors of the honour they formerly had of giving refuge to their fugitive Gods, and all the ceremonies of their religious worship, and conjured them to spare a city, which had been for some time the depository of all that is most sacred to the Romans, and which might be justly considered as the asylum of their Priests and Vestals, and in some measure as the temple and sanctuary of Rome." The People, more sensible to the ancient services received from the city of Cære, than the late fault which it had committed, restored it to their favour, and made a truce of an hundred years with it.

A. R. 402.
Ant. C.
356.

The dispute in respect to the Consulship was revived again, and prevented the holding of assemblies, both sides obstinately refusing to give way. The Dictator abdicated, his time being expired, before any thing could be concluded. Eleven interregnums succeeded, which included the space of fifty-five days. At last in the eleventh, the Senate consented, that the law Licinia should take place.

A. R. 403.
Ant. C.
349.

P. VALERIUS PUBLICOLA.

C. MARCIUS RUTILUS.

The last of these Consuls was a Plebeian. The reconciliation between the Senate and People being already much advanced, the two new Consuls applied themselves to terminating the affair of the debts, which was still some obstacle to it; and for that purpose nominated five * commissioners, who were charged with that matter. The commission was neither easy nor agreeable; because in affairs of this kind one of the parties concerned is always dissatisfied, and often both. The commissioners on this occasion acted with all possible moderation and prudence. As most of the debtors delayed paying their debts, less through want of power, than negligence and defect of order in their affairs, the State made itself their creditors, and having caused tables to be prepared in the Forum with money, paid the debts, after having taken security for the sums advanced: or else having ordered the value of the houses and lands of the debtors to be justly stated, it adjudged them to their creditors. By this means, without doing injustice to any body, or giving any cause of complaint, a great number of debts were discharged.

* They were called *Mensarii*, which is commonly translated Bankers. But in this case they were persons invested with the public authority, and acting without interest.

S E C T. II.

Censor elected out of the People. War against the Gauls and the Pirates of Greece. Valerius kills a Gaul in single combat, and is surnamed Corvus. He is created Consul at twenty-three years of age. The Pirates retire. Plague at Rome. Treaty with the Carthaginians. Interest reduced to half what it was before. Volsci, Antiates, and Aurunci defeated. Temple erected to Juno Moneta. The Romans, at the request of the inhabitants of Capua, turn their arms against the Samnites, new and formidable enemies. They gain a considerable victory over them, under the command of the Consul Valerius. The other army, by the imprudence of the Consul Cornelius, is exposed to extreme danger, from which it is delivered by the valour and conduct of Decius, a legionary Tribune. The Samnites are entirely defeated. Valerius gains another battle.

Q. SULPICIUS POETICUS V.

T. QUINTIUS PENNUS.

A. R. 404.
Ant. C.
348.

THESE two Consuls were Patricians. In their Consulships a truce of forty years was granted to the Falisci and Tarquinienses.

As the payment of debts had occasioned a great Liv. l. 7. c. 22. change in the fortunes of many, and abundance of houses and lands had been transferred to new possessors, it was thought proper to take the Census. The assembly being summoned for the election of Censors, Marcius Rutilus the Plebeian presented himself as a candidate for that office. He was the first that introduced the Dictatorship into the order of the People, and made it a point of honour to do the same in respect to the Censorship. He found great opposition from the Consuls, both Patricians, and very zealous for their order. But his merit superior to the highest offices of the State, and the extraordinary efforts of the People, carried it, and he was elected Censor with Cn.

A. R. 404.
Ant. C.
348.

Cn. Manlius. That office from its institution, that is to say during fourscore and twelve years, had always remained in the hands of the Patricians.

Festus * mentions a law proposed by the Tribune Ovinus, which impowered the Censors to create Senators, and to exclude them from the Senate, which power till then had been vested in the Consuls and Military Tribunes. Festus is the only author who speaks of this law. He does not say, when it first took place; but it is conjectured to have been passed this year.

A. R. 405.
Ant. C.
347.

M. POPILIUS LAENAS, III.

L. CORNELIUS SCIPIO.

The People re-entered into possession of the Consulship, by electing M. Popilius Lænas.

A considerable victory gained by that Consul over the Gauls in a battle, wherein he received a wound, did him and the whole order of the People great honour, who granted him a triumph with great joy. They asked each other with inward complacency, whether there was any room to be dissatisfied with a Plebeian Consul.

The Consulship was, however, given the year following to two Patricians.

A. R. 406.
Ant. C.
346.

L. FURIUS CAMILLUS.

AP. CLAUDIUS CRASSUS.

Rome had two kinds of enemies to repulse: the Gauls on one side, who hardly ever left her at rest, and the Pirates of Greece on the other, who infested the coasts of Italy. But what occasioned most uneasiness, was the refusal of the Latines to furnish their contingent of troops according to the treaty with them; adding, that they thought it more adviseable to fight for their own liberty, than to extend the dominion of strangers. Rome was therefore obliged to content her-

* Donec Ovinitia Tribunitia intervenit, qua sanctum est, ut Censores ex omni ordine optimum quemque curiatim è Senatu legerent. FEST. in Præteriti Senatores.

self with her own forces; and for that reason considerably augmented the number of the troops she usually kept on foot. Ten legions were raised, each consisting of four thousand two hundred foot, and three hundred horse; which amounted in all to forty-five thousand men. † Livy adds, that even in Augustus's time, when Rome was so powerful, it had been difficult to levy so numerous an army: that is to say, to levy it immediately, *novum exercitum*. For Rome, in the time of Augustus, had under arms, even in time of peace, twenty-three or twenty-five legions; but most of them dispersed in the different provinces of the empire. It must, however, be confessed, that there is some obscurity in Livy's expressions. Diod. l. 57.

The Consul Appius Claudius died during the preparations for war, of which the whole care fell entirely upon Camillus. It was thought injurious to his merit to subject him to the authority of a Dictator: besides which his name seemed a good omen for a war against the Gauls. He left two legions to guard the city, and divided the rest with the Prætor L. Pinarius, who was sent to defend the coasts against the incursions of the Pirates. He marched himself against the Gauls, and having advanced as far as the territory of Pomptinus, he encamped in an advantageous post, resolved not to come to a general battle, if not forced to it, and contenting himself with preventing the Gauls from plundering the country, by sending out great detachments on all sides for that purpose. He believed acting in that manner was a certain means to reduce an enemy, who not having laid up any provisions, could subsist his army only by pillage.

Whilst the troops on both sides lay still without acting, a Gaul, remarkable for the greatness of his stature, and the splendor of his arms, advanced into the midst of the two armies, striking his shield with his lance. After having caused silence to be made, he

challenged

* Quem nunc novum exercitum, si qua externa vis ingruat, hæ vires populi Romani, quas vix terrarum capit orbis, contractæ in unum laud facile efficiant. LIV. 7. l. 25.

A. R. 406.
Ant. C.
346.

challenged the bravest of the Romans to fight by an interpreter. Valerius, a young officer, who believed himself no less capable of the glory of such a victory than Manlius, accepted his challenge, and after having obtained the Consul's orders, advanced with a bold and intrepid air against the Gaul. The too distinguished favour of heaven, says Livy, something diminished the merit of his victory. If fame may be believed, which delights in adding the marvellous to great events, as soon as the Roman came to blows with his adversary, a crow on a sudden perched on his helmet, and kept its head always turned towards the Gaul. Valerius considering this circumstance as a good omen, implored the God or Goddess who sent it to be propitious. The crow not only kept its place, but during the whole combat, rose upon her wings, flew at the face and eyes of the Gaul with her beak and claws, and did not quit him, till terrified with a prodigy that deprived him both of the use of his eyes and of his presence of mind, Valerius laid him dead on the earth. The crow then, having discharged her commission, flew away towards the east, and disappeared.

The two armies till then had continued quiet. When Valerius was preparing to strip the enemy he had killed of his spoils, the Gauls continued no longer in their post, and the Romans flew to the aid of their brave officer. The action immediately began round the dead body of the Gaul, and soon became a general battle. Camillus exhorted his troops, already animated by the victory of Valerius, and the visible protection of the Gods, to charge the enemy, and shewing them the young victor covered with glorious spoils: "Go soldiers, said he, follow the example of your brave Tribune, and compleat what he has begun." They obeyed, and the success was not long doubtful, so much did the fate of the two combatants seem to have decided before-hand that of the two armies. The battle was warm and bloody between those who first came to blows round the dead Gaul: but from the rest the Romans found no resistance. Their ene-
mies

VALERIUS, POPILIUS, Consuls.

317

mies fled, without so much as having discharged their darts. At first they retired into the country of the Volsci and Falernum, from whence they removed into Apulia, towards the Upper Sea. The Consul, having assembled the army, gave the young Tribune great praises, and made him a present of ten oxen and a crown of gold. This singular adventure procured him the surname of Corvus, Crow, which he transmitted to his posterity.

A. R. 406.
Ant. C.
346.

The Senate having afterwards appointed Camillus to march against the Greek Pirates, he joined his troops with those of the Prætor. But as this war spun out in length, by order of the Senate he declared T. Manlius Torquatus Dictator, to preside in the election of Consuls. M. Valerius Corvus was chosen, though absent, and only twenty-three years of age, which did not hinder the People from unanimously giving him their suffrages. The Dictator on his side was infinitely pleased to contribute to the glory of a young officer, who treading in his steps, had signalized himself in the same kind of combat. Augustus long after, thought proper to honour the wonderful victory of this illustrious young Roman, and to consecrate the memory of it, by erecting a statue to him in the Forum, with a crow fluttering upon his head with expanded wings. M. Popilius Lænas was Corvus's colleague.

Aul. Gell.
l. 9. c. 11.

M. VALERIUS CORVUS.

M. POPILIUS LÆNAS IV.

A. R. 407.
Ant. C.
345.

No memorable action passed in the war with the Greek Pirates, who knew no more how to fight by land, than the Romans by sea. Being repulsed from the coasts, and water as well as provisions beginning to fail them, they quitted Italy. It is not certainly known by what people this fleet was manned, nor from what part of Greece they came. Livy believes it had been equipped by the Tyrants of Sicily: for Greece properly so called was sufficiently employed at this time in defending itself against the invasions of Philip of Macedon, Alexander the Great's father.

A plague

A. R. 407.
Ant. C.
345.

A plague that happened at Rome occasioned recourse to be had to the ceremony called *Lectisternium*.

The inhabitants of Antium settle a colony at Satrium, and rebuild that city which the Latines had destroyed.

The Carthaginians having sent ambassadors to Rome to demand the amity and alliance of the Romans, a treaty was concluded with them. Livy does not mention a treaty above an hundred and fifty years prior to this, which was concluded with the Carthaginians the same year the kings were expelled. Polybius has preserved the tenor of it, as well as of that in question, which is the second. The same author afterwards cites a third made at the time Pyrrhus came to Italy. I shall defer speaking of these treaties, till I come to the first Punic war.

A. R. 408.
Ant. C.
344.

T. MANLIUS TORQUATUS.
C. PLAUTIUS.

Ten years before the interest of money had been fixed at one per Cent. per Annum; *unciarium fœnus*: this year it was reduced to half that; *semunciarium fœnus*. Debtors had three years allowed them for discharging their debts at four different payments, of which one was to be made directly, and the three others from year to year. This was far from being an entire relief to the People, who still continued under an heavy load, and suffered much: but the Senate, less sensible to the misery of particulars than to public credit, could not resolve to give it so great a wound, as to declare debtors discharged from their debts. What gave the debtors some little relaxation, was that no levies were made, nor taxes exacted this year.

A. R. 409.
Ant. C.
343.

M. VALERIUS CORVUS II.
C. POETELIUS.

The next year the Romans were beforehand with the Volsci and Antiates, who were preparing to invade their territory. They were defeated, the city of Satrium

VALERIUS, CORNELIUS, Consuls.

319

tricum taken and burnt, and the spoils abandoned to the foldiers. More than four thousand prisoners were taken, who were led in triumph before the chariot of the Consul Valerius Corvus, and fold for the benefit of the public. Some authors believe that they were slaves.

A. R. 409.
Ant. C.
343.

M. FABIUS DORSO.

A. R. 410.
Ant. C.
342.

SER. SULPICIUS CAMERINUS.

The Aurunci were soon after subjected, and the Volsci again defeated. A Temple was now erected to Juno, afterwards surnamed * Moneta.

C. MARCIUS RUTILUS III.

A. R. 411
Ant. C.
341.

T. MANLIUS TORQUATUS II.

A Dictator was declared for the expiation of certain prodigies.

M. VALERIUS CORVUS III.

A. R. 412.
Ant. C.
340.

A. CORNELIUS COSSUS.

From henceforth we shall treat of far more considerable wars than the preceding, whether in respect to the power and forces of the enemy, duration, or the remoteness of the places where they were made. Hitherto the Romans had to do with the Sabines, the part of Hetruria nearest Rome, the Latines, Hernici, Æqui, Volsci, and all the little States in the neighbourhood of Rome. This year they undertook a war with the Samnites, a potent and warlike People, who gave place neither in valour nor military discipline to the Romans, and like Rome, had vassals and allies attached to their fortune. Every body knows, what † Horace says of the young Samnites, accustomed early

* Juno was called Moneta, on account of having given salutary advice on a certain occasion. A monendo. Cic. de Divin. l. 1. n. 101.

† Sed rusticorum mascula militum
Proles, Sabellis docta ligonibus
Versare glebas, & severæ
Matris ad arbitrium recisos
Portare fustes.

HOR. Od. 6. l. 3.

to

A.R. 412.
Ant. C.
340.

to the rudest fatigues, and the most supple obedience. After this war, in which the success was long equal, Pyrrhus appeared upon the stage, and after him the Carthaginians. During this interval * what a throng of great events arose, and how often did Rome see herself exposed to the most extreme dangers? These, says Livy, were in a manner the steps by which the empire attained to that height of power and greatness, of which we can scarce sustain the weight.

Eusebius, in his chronicle, mentions a Census which seems to agree with this year, wherein the number of the citizens amounted to an hundred and sixty thousand.

The Samnites, with whom the Romans began then to measure their swords, inhabited very near the region of Italy now called Abruzzo. This war was excited by a foreign cause, for they were at that time the friends and allies of the Roman People. The Samnites having attacked the Sidicini for no other reason but because they were the strongest, the latter were reduced to have recourse to a more powerful people, and made an alliance with the Campanians, who lent them a great name, but were really of no great support to them, and took their defence upon them with more ostentation than strength. Enervated in sloth and luxury, they could not make head against the Samnites, enured and accustomed by an hard and laborious life to all the exercises of war, and having been defeated in a battle fought in the country of the Sidicini, they drew upon themselves the whole weight of the war. They were beat a second time not far from their capital in an action, wherein they lost the greatest part of their youth, so that they had no resource but to shut themselves up in their city Capua. But not believing themselves safe there, they applied to the Romans for aid.

Their ambassadors, on being introduced to the Senate, spoke to them in terms to the following effect.

* Quanta rerum moles ! Quoties in extrema pericula ventum, ut in hanc magnitudinem, quæ vix sustinetur, erigi imperium posset ! Liv.

“ If

" If we come, Fathers, to demand your amity at a
 " time when our city was in a more flourishing con-
 " dition, you would perhaps grant it us more readily,
 " but then you would perhaps have less reason to re-
 " ly upon a lasting fidelity on our part: whereas de-
 " livered by your aid from enemies, who have sworn
 " our destruction, we cannot but retain eternal gra-
 " titude for so important a service. We do not be-
 " lieve your union with the Samnites an obstacle to the
 " grace we ask. For in making an alliance with them,
 " you undoubtedly did not intend to tie up your hands,
 " and deprive yourselves of the liberty of concluding
 " any other treaty. Though it does not become us in
 " our present condition, to speak advantageously of
 " ourselves, we can say, however, without setting too
 " great a value upon what we are, that Capua giving
 " place only to Rome either for the extent of its do-
 " minions or the fertility of the country dependant
 " upon it, should you think fit to make an alliance
 " with us, it might be of some, and no small, use
 " to you. On the first motion of your eternal ene-
 " mies, the Æqui and Volsci, our situation enables
 " us to fall immediately upon their rear, and what
 " you shall now be the first to act for our preservation,
 " we shall always do from henceforth for the aug-
 " mentation of your glory and empire. The con-
 " fession we are reduced to make you, is a mournful
 " one for us, but of indispensable necessity. We are
 " upon the point of being forced either to fall into the
 " dependance of our friends or of our enemies; of you,
 " if you take upon you our defence; of the Samnites,
 " if you abandon us. You are therefore to determine,
 " whether Capua, and all Campania, shall augment
 " your own, or the power of the Samnites. We speak
 " here to a people, whom no fear deters from under-
 " taking wars founded in justice. But on this occa-
 " sion there will be no necessity for that. Shew only
 " your arms, and the shadow of your aid, your name
 " alone will be sufficient safety for us. Would to the
 " Gods we were able to represent the mournful situa-

VOL. II.

Y

" tion

A. R. 412.
Ant. C.
340.

tion of Capua at this moment, whilst she expects
“ with the most cruel anxiety the answer we are to
“ bring back from you, which is to decide either her
“ safety and liberty, or her slavery and destruction.”

The ambassadors, after this discourse, withdrew, and the Senate deliberated upon their demand. It seemed to deserve abundance of attention, and might be of great advantage to the State. Capua was the greatest and most opulent city, and its lands the most fertile, of all Italy. Its bordering upon the sea, which facilitated the importation of corn from it, might render it the magazine of Rome. Its alliance might contribute much towards the conquest of all the countries between Rome and Capua: all which motives should have had, one would think, great weight with an ambitious people, affecting to extend their dominions perpetually. Equity however and faith to their engagements prevailed, and made all those views of interest vanish, which are usually so powerful in the deliberations and councils of princes and republics, but which seemed to this wise and august assembly, base and unworthy of the Roman greatness. The Consul having ordered the ambassadors to be called in, made them this answer in the name of that body. “ The
“ Senate, Campanians, are sorry for your present
“ condition, and could wish it had power to assist you
“ with honour: but justice will not admit us to make
“ a new alliance with you, in violation of one more
“ ancient. * We are united with the Samnites by a
“ solemn treaty, and will not take arms against them
“ which would be still more criminal in the sight of
“ the Gods than injurious to men. All that we can
“ do for you on this occasion, is to employ our mediation
“ with the Samnites, and to desire them by our
“ deputies to desist from their hostilities against you.

We see here how much the faith of treaties was respected amongst the Romans, and that it was a constant

* Samnites nobiscum foedere juncti sunt. Itaque arma, deos priusquam homines, violatura, adversus Samnites vobis negamus. Liv.

principle amongst them, that no new alliance ought to contravene one of a more ancient date.

The ambassadors, in consternation at an answer that gave them up to the hatred and fury of the Samnites, had recourse to another means, according to the powers they had received with their commission at setting out from home. "Since, say they, you will not take upon you the defence of our city and estates against the injustice and violence done us, you certainly will not be able to dispense with defending a city, when become part of your own dominions. We therefore from this moment, Romans, fully and entirely renounce and abandon to you the people of Campania and the city of Capua, with the lands, temples of the Gods, and in one word, whatever else they hold and possess. We acknowledge you for our sovereigns. Thus whatsoever evils befall us from henceforth, will befall us as your subjects." After this declaration, with abundance of tears they extended their hands towards the Consuls, and all prostrated themselves to the ground at the entrance of the Senate. This was a most moving sight. A rich and powerful people, distinguished till then by their pride and luxury, whose aid their neighbours a little before had implored, reduced to so low a degree of humiliation, as to deliver up themselves and all they have to aliens and strangers. The Senate believed that justice and public faith would now not admit them to betray and abandon a people, who surrendered themselves without reserve to the Romans; and that the Samnites would act contrary to equity, if they continued to attack a city and country, which they should be informed, belonged to the Romans as their right, from the cession made of it to them by the Campanians.

Ambassadors therefore were immediately sent to the Samnites, "to represent to them the supplication and request of the inhabitants of Capua, the answer made at first by the Senate, which clearly evidenced their

A. R. 412.
Ant. C.
340.

regard for the amity of the Samnites, and lastly the cession made to Rome by the Campanians of their city and all they possessed. They had orders to demand of the Samnites, that in consequence of their amity and alliance with Rome, they should desist from attacking a country, which from thenceforth was become the domain of the Roman people; and, if these amicable methods did not succeed they were directed to declare in express terms to the Samnites, in the name of the Senate and People of Rome, that they must not approach Capua, nor set foot on the lands in its dependance." When this declaration was made to the Samnites in full assembly, it put them into such a fury, that they not only answered, they would continue the war they had began; but their magistrates, on the breaking up of the council, ordered the generals and officers of the army to attend them, and in the presence of the ambassadors, with a loud voice, commanded them to set out immediately, and to ravage and destroy the country of Capua with fire and sword.

Upon this answer the Senate, with the People's authority, sent the heralds to the Samnites, to demand satisfaction on account of so violent a proceeding, and, on their refusal, those officers declared war against them in all the forms. The two Consuls had orders to take the field immediately. Valerius marched into Campania, and Cornelius for Samnium. The first encamped near mount Gaurus, and the other near Saticula.

The legions of the Samnites marched against Valerius: they were of opinion, that the weight of the war would fall on that side; besides which they were animated by rage and revenge against the Campanians who had been equally ready to give aid themselves and to call it in against them. At the first sight of the Roman camp, their leaders, full of boldness, desired earnestly to come to a battle, assuring themselves that the Romans would have the same success in aiding the Campanians, as the latter had in aiding the Sidicini.

Valerius

Valerius, after having let some days pass in skirmishes to try the enemy, gave the signal for battle, and exhorted his troops in few words. He represented to them, "That they ought not to be daunted by this new war and new enemy. That the farther they removed from Rome, the weaker and less warlike they would find their enemies. That the courage of the Samnites was not to be judged from their defeating the Sidicini and Campanians. That the latter had been overcome more by their own softness and luxury, than by the forces of their enemies. Could two successes of the Samnites during so many ages be looked upon as any thing, when compared with the many glorious exploits of the Romans, who since the foundation of Rome, reckoned almost more triumphs than years; who had subdued all around them in arms, Sabines, Hetrurians, Latines, Hernici, Volsci, Æqui, and Aurunci; who had so often defeated the Gauls in pitched battles; and lastly, had repulsed the Greek pirates from their coasts with so much courage and success. That in advancing to battle, each of them in particular should carry with him the just confidence with which their bravery, experienced on so many occasions, and past great actions, ought to inspire them: but that they ought also to remember under the auspices of what general they fought." "Soldiers, continued he, it is not my words, but my actions, that I would have you follow. It is not to the cabals of the Patricians, but to this arm, that I am indebted for three Consulships, and the glory to which I have attained. There was a time, when it might have been said, What wonder is that? You are a Patrician, and descended from the Deliverers of our country, and the Consulship was in your family the same year that this city began to have Consuls. The Consulship is now equally open to both orders, to the Plebeians as well as Patricians. It is no longer the fruit of birth, but of merit. You ought, soldiers, to raise your views to the first dignities. The new sir-name of Corvus, which you have given

A. R. 412.

Ant. C.

340.

“ me in a manner by the order of the Gods themselves,
 “ has not made me forget the ancient fir-name of Pub-
 “ licola attached to my family. I have always suf-
 “ tained the honour and duties of it. In peace and
 “ war, a private person or in the highest offices of the
 “ state, I have always adhered to the People, and shall
 “ do so during my life. You are now to march with
 “ me, under the protection of the Gods, against the
 “ Samnites, to merit a triumph entirely new, of which
 “ you are to have the first fruits.”

* Never was general more familiar with his soldiers than Valerius: he made no difficulty to divide all the labours and military employments with them. In the games, wherein the troops contended man to man for the prizes of swiftness in running and strength of body, he accepted with surprizing easiness and popularity the challenge of the first comer, and knew how to conquer or be overcome with the same air. He was liberal and beneficent, but bestowed his favours with judgment. He was attentive in his discourse not to injure the liberty of others, and was no less so to support his own dignity; and he perfectly possessed the art of descending without demeaning himself. In a word, in the exercise of the first offices of the state he retained the virtues by which he had deserved them; a conduct infinitely agreeable to the multitude, and very uncommon with those who attain great dignities.

It is easy to judge how much impression the discourse of such a person must make upon the troops. It was received with universal applause. The army, full of spirit and ardour, marched out of the camp to battle. The hopes and forces were equal on both sides. Both were full of confidence in themselves, without despising the enemy. Their late almost still

* Non alius militi dux familiarior fuit, omnia inter infimos militum haud gravatè munia obeundo. In ludo præterea militari, cum velocitatis viriumque inter se æquales certamina ineunt, comiter facili, vincere ac vinci vult eodem; nec quemquam aspernari parem, qui se offerret: factis benignus pro re, dictis haud minus libertatis alienæ quam suæ dignitatis memor: &, quo nihil popularius est, quibus artibus petierat magistratus, iisdem gerebat. LIV.

recent

recent successes, the two important victories gained by the Samnites, augmented their courage extremely: but a glory of four hundred years, and as ancient as Rome itself, inspired the Romans with another kind of resolution. What gave both some disquiet, was their having a new, and hitherto mutually unknown, enemy to engage with. The battle shewed their dispositions effectually. It was long doubtful, the victory inclining neither to one side nor the other. The Consul, seeing that notwithstanding all his endeavours he could not break the enemy, made the cavalry advance to put them into disorder, which had no better success, the place being too narrow for their evolutions. Valerius then leaping from his horse; "Soldiers, (said he to the "foot) this battle regards me: Come on. I am going to open you a way into those troops where you "see the lances so thick." The horse at the same time having wheeled off by his order to the two wings, he advanced to the enemy, and killed the first he met. The soldiers, animated by seeing their general confront dangers in that manner, made extraordinary efforts. The Samnites did the same on their side, and maintained their ground without giving way, though they had more wounded than the Romans. The battle had already continued for some time, and the slaughter was very great in the foremost ranks of the Samnites, but they continued in their post without thinking of flight, so firmly had they resolved not to be conquered, and to yield only to death. The Romans therefore, perceiving their strength decline thro' fatigue, and that night approached, actuated by anger and the desire of conquering, made a last effort, and threw themselves headlong upon the enemy. The ranks of the Samnites began then to be in disorder, and they retired; soon after which they fled with precipitation. Great numbers of them were either killed or made prisoners, and few had escaped, if night had not put an end rather to the victory than the battle. The Romans confessed, that they had never engaged so obstinate an enemy before: and the Samnites on

A. R. 412.
Ant. C.
340.

their side, when they were asked what was the first cause that had occasioned their flight, notwithstanding their ardour for the battle, answered, that seeing the eyes of the Romans sparkling with fire, and their whole visage enflamed with rage and a kind of fury, they could not sustain their terrible looks. Their terror appeared not only in the success of the battle, but in their precipitate retreat in the night without carrying off any thing with them. The Romans, finding their camp abandoned the next morning, took considerable spoils in it; and the Campanians repaired thither in a body, to express their gratitude to the victor.

The joy for this victory was soon after interrupted by the extreme danger to which the other army was exposed. The Consul Cornelius, having marched from Saticula, imprudently entered a forest that had no way into it but through a deep valley, without having used the precaution of sending a detachment before him to view the places and learn news of the enemy. He did not perceive, that they had seized the eminences, and were over his head, till he was too far advanced to retire. The Samnites delaying to attack him only till his whole army was engaged in the valley, P. Decius, Tribune of the soldiers, perceived an hill in the forest, which commanded the enemy's camp. The access to it was very difficult to a body of troops laden with baggage, but easy to soldiers who carried only their arms. That officer finding the Consul in the utmost perplexity: "Do you see, said he, that eminence
" which is above the enemy, and which they have not
" taken care to seize? Our preservation depends upon
" posting ourselves there. For that purpose, I ask
" only the * Principes and Hastati of one legion.
" When I have gained the summit of that hill, pursue
" your march without fear, assured of preserving your-
" self and your army. The enemy, exposed to our
" darts, cannot move without exposing themselves to
" the danger of being cut to pieces. As for us, either

Liv. l. 7.
c. 34—37.

* The Principes and Hastati were two bodies of troops that amounted in all to two thousand four hundred men.

" the

"the good fortune of the Roman people, or our own
"valour will bring us off." The Consul having praised
him highly, gave him the detachment he asked, with
which he crossed the forest, without being perceived by
the enemy, till he was just upon the spot he was march-
ing to seize. The Samnites were in a great surprize;
and whilst their eyes were entirely fixed upon Decius
and his troops, they gave the Consul time to march his
army to a place of safety. As for Decius, he halted
upon the top of the hill.

Whilst the Samnites, in their uncertainty and sus-
pence, deliberated upon the conduct they should ob-
serve, they put it out of their power to act, not being
able either to pursue the Consul without entering into
the same defile through which he had passed with so
much danger, or making the troops climb the emi-
nence which Decius had seized. They determined
however upon the latter, through the desire of aveng-
ing themselves upon those who had deprived them of
so fair an occasion, induced to it also by the proxi-
mity of their post, and the small number of troops
of which that detachment consisted. They therefore
thought one while of surrounding the hill with troops
on all sides, to prevent their rejoining the Consul;
and another, of leaving the passage open in order to
attack them in their descent. Whilst they were in sus-
pence, and fluctuating between the two opinions, the
night came on. Decius conceived at first, that they
would have attacked him, and prepared to give them
a warm reception from the higher ground where he
was posted. He was much surprized afterwards,
when he saw, that they did not resolve either to charge
him, or at least, if the disadvantage of the place dis-
couraged them, to surround him with intrenchments in
order to deprive him of all hopes of escaping. Having
assembled the Centurions: "We are very fortunate,
"comrades," said he, "to have to do with enemies,
"who are absolutely ignorant of the rules of war, and
"of inconceivable slowness and neglect. Whilst they
"have been consulting, and making so many irregu-
"lar

A. R. 412. " lar and uncertain movements, they might have sur-
 Ant. C. " rounded us with intrenchments on all sides. But
 340. " that seems the least of their thoughts. We should
 " resemble them, if we continued longer here than
 " were necessary. Follow me then, and whilst some
 " light remains, let us observe where they post their
 " guards, and by what way we shall get off from
 " hence." This they did immediately, in the habit
 of private soldiers, to avoid being suspected and
 known by the enemy.

He afterwards planted the centinels, and sent orders to the soldiers to come to him, in silence and armed, at the second watch of the night: that was the space of three hours from sun-set to midnight. When they repaired to him in consequence, he spoke to them as follows. " You must keep the same silence, soldiers, whilst I am speaking to you, as you did in coming hither. When I have told you what I have to say, let those who approve it go to the right without making any noise: the opinion of the majority shall determine us. I come now to my thoughts. That the enemy keep you here surrounded, is neither owing to your want of courage, nor slowness to act. Your valour brought you hither: your valour must find you the means of departing from hence. In coming to this hill, you have saved the army of the Roman people: now save yourselves in retiring from this place. We have an enemy to deal with, who may truly be said to be blind, and who having it yesterday in his power to ruin our whole army in the defile it had entered, and either to prevent us from posting ourselves upon this eminence, or to shut us up within good works upon it, has neither seen nor done any thing of all this. After having deceived them in this manner in day-light, and with their eyes open, it is necessary now for you to deceive them again whilst they sleep. I say necessary: for as we have nothing here but our arms and our courage, and must perish with hunger and thirst if we continue,

" it

" it is absolutely necessary to remove from hence.
 " The question only is, whether we shall do so by
 " night or by day. And this seems to me a matter
 " that requires still less deliberation. For if we stay
 " till day, who knows but the enemy, whom you see
 " dispersed quite round our hill, may inclose it within
 " fosses and intrenchments. And if only the night
 " be the proper time for the execution of our design,
 " which is incontestable, the present hour is the most
 " favourable we can chuse, because that at which
 " men are heaviest with sleep. As then you will find
 " all the enemy's soldiers asleep, you will either pass
 " through them without being perceived, or, if they
 " wake, you may put them into a consternation by
 " raising great cries on a sudden. After having fol-
 " lowed me to this place, now follow me from hence.
 " As for me, I abandon myself to the same fortune
 " that brought us hither. Let those who approve my
 " opinion go to the right."

All did so to a man, and followed Decius where
 the enemy had not posted centinels. They had passed
 half their camp, when a soldier happening to clash his
 arms against the shield of a centinel that lay asleep,
 the latter awoke, and gave others the alarm. They
 did not know whether they were friends or enemies:
 whether they were the detachment come down from
 the hill; or the Consul, who had made himself mas-
 ter of the camp. Decius that moment made his
 troops raise great cries. The Samnites, still half
 asleep, and seized with terror, could neither take arms
 readily, oppose the passage of the Romans, nor pur-
 sue them. The latter, taking advantage of that con-
 fusion, kept going forwards, and killed all that came
 in their way. When they were out of danger, as it
 was not far from day, Decius made his troops halt,
 and said to them, " Your valour, soldiers, is worthy
 " of admiration. All eyes will applaud this bold
 " and happy enterprize. But it is not fit that night
 " should cover so glorious a return with darkness and
 " obscurity. Let us stay here till day, that the Sun
 " may

A. R. 412. " may witness your triumphant entrance into the
 Ant. C. " camp." He was obeyed.

340.

As soon as it was day, they marched on, after having dispatched a courier to the Consul. The news of their return having spread in the camp, occasioned incredible joy, and the troops in emulation of each other went out to meet those generous and intrepid soldiers, who had exposed themselves to certain danger for their preservation. They praised and congratulated them, calling them all in general, and every one in particular, their preservers, their deliverers. They returned thanks to the Gods for so manifest, so distinguished a protection: and as for Decius, they extolled him to the skies. This was a day of triumph to him. He marched through the camp with his victorious troops in the midst of the highest applauses of the whole army, who had their eyes fixed on him alone, and by the titles of honour, which they contended with each other in giving him, equalled the Tribune in all things with the Consul. The Consul had already called the assembly, and was beginning to give Decius the praises he so justly deserved, when the latter interrupted him, and represented, that there was no time to lose, and that the moments were precious. He induced him therefore to make the troops march directly against the enemy, who had not yet recovered their consternation in the night, were dispersed in disorder around the hill, and of whom he believed many sent in pursuit of him, were still straggling up and down in the forest. The legions set out immediately, and came up with the enemy, whom they attacked when they least expected it. Most of their troops dispersed on all sides, could neither unite in one body, nor take arms, nor retire into their intrenchments. The legions pursued them into their camp, which they took. All they found in it were put to the sword, to the number of thirty thousand.

The Consul having then no other care upon his hands, called an assembly the second time, and did the justice which was due to the generous enterprize of Decius,

Decius, the glory of which the last action had infinitely augmented. Besides other military presents, he gave him a crown of gold, an hundred oxen, and a white one with gilt horns. To each of his soldiers, he gave a double allowance of corn for ever, with an ax and two habits for the present. After the Consul had distributed his rewards, the legions placed the crown Obsidionalis on the head of Decius: this was a mark of acknowledgment given by the soldiers to the officer who extricated them out of any dangerous post, wherein they had been invested by the enemy: it was composed of turf. The soldiers of his detachment gave him another of the same kind. Decius sacrificed the ox with the gilt horns to Mars; and gave the other hundred to the soldiers who had followed him in this action. The legions made each of the same soldiers a present of a pound of flour, and a * Sextarius of wine. All these military presents were attended with the cries and acclamations of the army, undoubted proofs of its sincere and universal joy.

A third battle was fought with the same people. Liv. l. 7.
The Samnites whom Valerius had put to flight in the C. 37.
first battle, having drawn all their youth together, resolved to make a last effort, and assembled near Suessula. The inhabitants of that place sent immediate advice of their motions to Valerius, imploring his aid. He immediately set out without baggage, leaving a strong guard for the defence of his camp in case of attack, approached the enemy, and encamped upon a ground of moderate extent not far from them. The Samnites at first offered him battle, but seeing that he did not move, they advanced to insult his camp. Judging of the number of his troops from the small extent of his camp, their ardour augmented, and they demanded permission of their officers to force it. The war would have been terminated by that rash enterprise, if their Chiefs had not checked their impetu-

* The Sextarius was the sixth part of a Congius, a little more than the English pint.

A. R. 412.
Ant. C.
340.

city. As they began to want provisions, part of their troops dispersed about the country to forage, whilst fear, as they imagined, kept the Romans shut up in their camp. They even flattered themselves, that the latter would soon be reduced by famine, having only the provisions they had brought with them upon their shoulders. When the Consul saw the enemy dispersed on all sides in the country, with few troops to sustain them; after having animated his troops by a short exhortation, he led them on against the enemy's camp, and made himself master of it at the first attack. Great numbers of them were killed, and more in their tents than at the gates of the camp and on the works. Having caused all the ensigns he had taken to be laid together, and left a considerable body of troops to guard the camp he had just seized, with express orders not to touch the spoils till his return, he marched in good order against the Samnites dispersed about the country, whom he had first taken care to make his cavalry surround, in order to drive them like beasts into a net, so that they could not escape him. The slaughter in effect was very great, because they neither knew whether to draw up in a body, retire to their camp, or fly some other way. Forty thousand shields were taken; not that the number of the dead was so great, but because the alarm and flight had been general; and the colours, including those already taken in the camp, amounted to an hundred and seventy. When this expedition was over, the Consul returned to the enemy's camp, and the whole booty was abandoned to the soldiers.

The good success of this campaign against the Samnites put a stop to the bad designs of some of the States in the neighbourhood of Rome who meditated war. The report of it spread as far as Carthage, who sent ambassadors to congratulate the Romans upon it, with a crown of gold weighing twenty-five pounds, to be placed in the temple of Jupiter in the Capitol.

The two Consuls triumphed over the Samnites. Decius followed their chariot, carrying the rewards with which his valour had been honoured: and the sol-

soldiers, in their songs, wherein the military freedom prevailed, gave the Tribune equal praises with the two Consuls.

S E C T. III.

The Roman soldiers sent into winter quarters at Capua, form a conspiracy against the inhabitants. It is discovered. They revolt against the Commonwealth itself. Valerius Corvus the Dictator appeases the sedition. The Samnites demand peace. The Latines haughtily require the Romans to consent, that one of the two Consuls shall be elected out of their nation. War is declared against them. Dream of the two Consuls. Manlius Torquatus puts his son to death for having fought contrary to his orders. Decius, the other Consul, devotes himself for the army, which gains a famous victory over the Latines. Reflections upon the action of Torquatus. The war continued against the Latines. Three laws much against the Senate are passed. All the Latin States are conquered, and entirely subjected to the Romans. A Vestal is condemned. The Prætorship conferred upon a Plebeian. Roman ladies convicted of poisoning, and punished.

THE deputies of Capua and Sueffula applied to the Roman People, and earnestly solicited them, that they would send garrisons to quarter amongst them during the winter, in order to defend them against the Samnites, who made frequent incursions into their country, and ravaged their lands. This favour, which they had no trouble to obtain, was very near proving fatal to them. The Romans on one side, accustomed to an hard and sober life, did not know how pernicious a city plunged in voluptuousness might be to their manners: and the Campanians, on the other, were no less ignorant of the dangers of admitting a foreign garrison. Both people soon made a sad experience of these things.

Capua,

A. R. 412.
Ant. C.
340.

A. R. 412. * Capua, whose excessive luxury even in those days
 Ant. C. 340. was highly capable of corrupting military discipline,
 Liv. 1. 7. soon softened the soldiers Rome had sent thither, by
 c. 38—42. the delicious living and pleasures with which it supplied them in abundance, and made them absolutely forget their own country. During their winter quarters, they concerted measures for depriving the Campanians of their city by the same crime, as themselves had formerly taken it from its ancient inhabitants, and made use of their own example against them. The Roman soldiers conceived their design founded in reason. “For,” said they, “is it reasonable, that the Campanians, who are incapable of defending their persons and estates themselves, should possess the most fertile country of Italy, and inhabit so fine a city, in preference to a victorious army, who at the price of their sweat and blood have driven out the Samnites?” In consequence they formed the barbarous design of massacring the inhabitants of Capua, and of establishing themselves in their room.

A. R. 413.
 Ant. C. 339.

C. MARCIUS RUTILUS IV.

Q. SERVILIUS.

The conspiracy could not be kept so secret, but that the principal magistrates had intelligence of it. The province of Campania had fallen by lot to Marcius. He was a man of ability and experience, was now Consul for the fourth time, and had been Dictator and Censor. Having been apprized on his arrival, of all the projects that had been formed, he thought it necessary to elude them by address and without noise. The first means that he used was to spread a report, that the troops should continue the following year in the same winter quarters; for they were cantoned into different towns, but had all en-

* Jam tum minimè salubris militari disciplinæ Capua, instrumento omnium voluptatum delinitos militum animos avertit à memoria patriæ.

tered

tered into the conspiracy and acted in concert. He thereby gave them room to believe, that they would have sufficient time for accomplishing their design, and wisely retarded the execution of it. The conspiracy in consequence was not carried on with so much vivacity, and slackened much in its heat for the present.

When the Consul took the field with the army, whilst the Samnites remained quiet, he made it his business to disperse the principal conspirators on all sides under different pretexts. He sent away whole companies that he suspected, and permitted them to return to Rome by way of favour, and to give them the satisfaction of seeing their families. The conspirators at first suspected nothing, and took the benefit of the General's indulgence with joy. But afterwards, putting different circumstances together, they were particularly struck with the great number, that had obtained leave to be absent so easily, of whom the major part were such, as had declared themselves most for the conspiracy; and thence proceeding to reflect seriously upon the Consul's conduct, they rightly suspected the mystery of it. They were then seized with terror. They apprehended, that they should be made victims to the inexorable revenge of the Senate, and resolved to take measures for their own security.

A Cohort, that is to say, a body of about five hundred men, instead of going to Rome, halted in a narrow pass, in order to receive those whom the Consul dismissed every day. A great body of troops were soon formed in this place, and wanted only a general to form a compleat army. A man of great reputation was necessary for that office, and they had no such person amongst them. They could not think of bringing one from Rome. For what Patrician or Plebeian would accept of so dangerous a commission? In this exceeding perplexity they were informed, that

* Lautula, a place between the Sea and the Mountains.

A. R. 473. at a country house not far off, actually resided an illustrious Patrician, named T. Quintius, who had formerly distinguished himself in war, but had been obliged by his wounds to quit the service, and passed his time, remote from trouble and ambition, in the tranquillity of a country life. They did not imagine that they should be able to engage a man of that character to accept their offer voluntarily. They therefore went in the night to seize his person; and having declared to him that he must either resolve to accept the command, or die, they forced him to put himself at their head: after which they marched directly for Rome.

They were within eight miles of it, when they were informed that an army was advancing to meet them, under the command of M. Valerius Corvus who had been created Dictator upon the news of this revolt, and the year before had commanded the same rebellious troops in quality of Consul. As soon as they came in view of the other army, and discovered the Roman arms and eagles, that sight softened them, and the love of their country resuming its place in their hearts, their fury grew calm in an instant. * They had not yet acquired the barbarous courage to shed the blood of their citizens; they knew no wars but with strangers, and believed a separation from their country the last excess of frenzy. The leaders and soldiers on both sides in consequence fought only to approach each other. The two Generals had an interview at the head of their armies with very pacific dispositions. Quintius, averse to carrying arms even for his country, was far from being willing to employ them against it. Corvus loved his whole country passionately, and in particular the troops, but especially the old soldiers.

As soon as Corvus appeared, and the mutineers saw him, they expressed the highest respect for him, whilst

* Nondum erant tam fortes ad sanguinem civium, nec præter extrema noverant bella, ultimaque rabies secessio ab suis habebatur. Liv.

his own troops kept a profound silence. "Soldiers," says Corvus, "in setting out from Rome, I implored the immortal Gods, the Gods of our country, your Gods as well as mine, that I might return from hence with the glory, not of having conquered, but of having reconciled you. I have had, and shall still have sufficient occasions, of acquiring glory in war: here all I seek is peace. What I asked of the Gods in the prayers I made to them, you, soldiers, can make me obtain, if you will only remember, that you are not incamped in the country of the Samnites and Volsci, but in the territory of Rome: that these hills, which you see, are the hills of your country: that this army in front of you, is composed of your fellow-citizens: and that I am your Consul, under whom last year you twice defeated the legions of the Samnites, and as often took their camp. Yes, Soldiers, I am M. Valerius Corvus, who never took any advantage of illustrious birth but to do you the greatest services, and never any wrong: who am not the author of any rigorous law, of any decree of the Senate, of which you can complain: and who in all the commands I have had, have ever been more severe to myself than to you. If birth, valour, and dignities could inspire any one with pride and haughtiness, I was of a family, had given proofs of bravery, and had attained the first office of the State at an age, when I might, being Consul at three and twenty, have made not only the People, but the Senate fear me. During this first Consulship, did I either act, or speak, in any other manner, than when I was only Tribune of a legion? I retained the same moderation in my two following Consulships, and am still determined to do so in this high office of Dictator, with which it has been thought proper to invest me, and not to treat those soldiers, who are mine and their country's, with more lenity and indulgence, than you, who, I speak it with horror,

A. R. 413.

Ant. C.

339.

“ are its enemies. You therefore shall draw the sword against me, before I draw it against you : I we must fight, the trumpet shall first sound the charge, and the cry of battle and attack begin first on your side.” After some other reflections, he addressed himself to the general of the mutineers thus : “ T. Quintius, however you happen to be here, whether out of choice, or in effect of force if we must come to blows, do you retire into the rear. It will be more honourable for you even to fly before your country, than to fight against it. Now the question is to negotiate peace, it becomes you to appear in the front, and to make yourself the mediator of an accommodation. As for your soldiers, propose equitable conditions to us : though however that be, it were better for us to submit to the most unjust, than to imbrue our hands in blood which ought to be sacred to us.”

Quintius spoke with tears almost to the same effect to his troops. “ Soldiers,” said he, “ if I can be of any use to you, it is also rather in respect to peace than war. It is neither a Volscian, nor a Samnite who has just spoke to you ; but a Roman, your Consul, your general. You have experienced his good fortune in command. Do not expose yourselves to making proof of it against you. The Senate might have commissioned generals to march against you, who would have been more willing to proceed to fatal extremities : but they have made choice of one who might be most inclined to spare you as his soldiers, and in whom you could place most confidence as your general. Those who are capable of conquering desire peace. Let us therefore renounce those deceitful and pernicious counsellors, rage and hope, and more wisely abandon ourselves without reserve to a goodness and fidelity too well known to be suspected.”

This advice being generally approved, Quintius returned to the Dictator, declared to him that the troops

troops put themselves into his hands, and earnestly besought him to make himself their advocate and defender with the Senate and People. He added, "That as to what concerned himself, he had no precautions to take; and that he relied upon his innocence: but that as to the soldiers, it would be proper to do for them what was formerly done for the People, when they retired to the Sacred Mountain, and afterwards for the army in the time of the Decemviri; that is to say, to decree that what was past should not be imputed as a crime to the soldiers, and that they should never be molested on that account."

The Dictator, after having praised Quintius as he deserved, and given great hopes to the rest, returned immediately to Rome. He had no trouble in obtaining pardon for the criminals, their great number making impunity almost necessary. Having assembled the People, with the approbation of the Senate, he proposed and passed a decree in the assembly, that no one should be molested for having separated from the army, and formed a party. He also asked as a favour of the Romans, that no reproaches, either in jest or earnest, should be cast upon any of them.

At the same time a military law was passed, to prohibit striking the name of a soldier off the list without his consent. The same law declared, that whoever had been Tribune of a legion, should be incapable of being a Centurion afterwards. The conspirators demanded this article on account of P. Sallustius, who was almost always alternately, one year a Tribune, and the next first Centurion, called afterwards Primipilus. The soldiers had a grudge against him, because he had always opposed their plot, and to avoid having any share in it, had retired from Lautula. As the Senate rejected this article out of regard for him, he desired that they would comply with it for the sake of peace; which was granted.

A. R. 413.
Ant. C.
339.

Another no less violent demand of the same soldiers was to reduce the pay of the horse, which was thrice as much as that of the infantry. They were angry with the cavalry for having always opposed their conspiracy.

Livy mentions several other laws which they obtained, but without any certainty; and even the reality of those we have spoken of, may be doubted. And indeed, it would be very surprizing, for soldiers, who ought to have thought themselves very happy in being pardoned their rebellion, to have been so insolent to demand, that such of their comrades as had opposed them, should be punished, and the Senate so weak as to grant it; otherwise we must suppose the army of the rebels to have been very numerous and formidable.

The sedition of which we have just spoke, was the first in which the Roman troops marched in arms against their country. But to consider the easy and immediate manner, in which it is appeased without costing a drop of blood, it ought in my opinion to be looked upon less as a revolt formed coolly and with reflection, than as a sudden and transient start of phrenzy almost involuntary, which hurries on these soldiers without knowing what they do, and which, far from extinguishing the love of their country in their hearts, shews how profoundly it was implanted in them, as at the first remonstrance of the Dictator it awakens on a sudden in all its vigour. The Romans were not yet susceptible of those monstrous excesses which civil war excites: *Nondum erant tam fortes ad sanguinem civilem*. That fury, that barbarity, was reserved for the latter unfortunate times of the commonwealth, when we shall see the Roman * armies marching against each other with flying colours, and Rome swimming in the blood of her citizens.

* ——— Infestis obvia signis

Signa, pares aquilas, & pila minantia pilis. .LUCAN.

PLAUTIUS, ÆMILIUS, Consuls.

343

For the rest, we cannot too much admire the address and prudence, with which this whole affair is conducted both by the Consul and the Dictator. I do not know whether a more eloquent, more moving, and more persuasive discourse than that of Valerius Corvus to the mutinous troops is to be found in history. To know the human heart well, and how to influence the minds of men by gentle and insinuating methods to the purpose intended, is a great talent, and a science highly necessary to those who have the administration of governments.

A. R. 413.
Ant. C.
339.

C. PLAUTIUS, II.

L. ÆMILIUS MAMERCINUS.

A. R. 414.
Ant. C.
338.

The rumour of the sedition of the Roman soldiers, and the war with the Samnites, made some States despise the alliance of the Romans. The Privernates in particular, by sudden incursions ravaged the lands of Norba and Setia, Roman colonies. The Consul Plautius soon put an end to those disorders.

Liv. 1. 8.
C. 1, 2.

Æmilius, the other Consul, to whom the war against the Samnites had fallen by lot, entered their country, and found them entirely quiet. With his permission they sent deputies to the Senate, to demand peace of the Romans, and permission to make war against the Sidicini. Those deputies represented, that the Samnites were ancient allies of Rome, and “that the Sidicini, against whom they demanded leave to make war, had always been their enemies, and never the friends of the Romans.” The Senate, after having deliberated upon the affair, replied: “It was not the fault of the Romans, that the alliance with the Samnites had not subsisted inviolably, and that they would willingly renew it: That as to the Sidicini, it was at their own option to act in regard to that people, and to make either war or peace with them, as they should think fit.”

A. R. 414.
Ant. C.
338.

The Samnites, in consequence of this treaty, immediately turned their arms against the Sidicini. The latter, to secure themselves, had recourse to the Romans, and offered to submit to them as the Campanians had done. Their proposal was not accepted, under pretext, that it was only the effect of the extreme necessity to which they were reduced. Had the Campanians acted from any other motive? The Sidicini, on this refusal, applied to the Latines, who had already taken arms of themselves. The Campanians, more sensible to the injury they had received from the Samnites, than to the services of the Romans, also joined the Latines. A considerable army, formed out of the three people, entered the country of the Samnites, and retired after having ravaged it with fire and sword.

Their retreat gave the Samnites time to send deputies to Rome, to desire the Senate, that "they would be pleased to forbid the Latines and Campanians, as they were dependent on them, to attack the Samnites; and in case of disobedience, to reduce them to it by force of arms." The answer returned them was obscure and ambiguous; because the Romans were not willing to own in express terms, that the Latines were no longer at their disposal as formerly, and that they apprehended alienating them entirely, if they assumed a loftier tone. They declared therefore, that they could forbid the Campanians, as being their subjects, to carry arms against the Samnites: but as to the Latines, there was no clause in the treaty with them, by which they were obliged not to make war with whom they thought fit.

Liv. 1. 8.
c. 3—6.

This answer, which terrified the Campanians, made them take off the mask, and rendered the Latines, who perceived that the Romans feared them, more haughty than ever. Accordingly, calling frequent assemblies under colour of the war with the Samnites, the principal persons of the nation concerted measures for attacking the Romans; and the Campanians

came

came into their views. Whatever care was taken to keep these deliberations secret, in order to surprize the Romans; the latter had intelligence of them; and to put themselves in a condition to support so considerable a war as that with which they were threatened, they immediately nominated new Consuls, having for that purpose anticipated the time of election.

T. MANLIUS TORQUATUS, III.

P. DECIUS MUS.

A.R. 415.
Ant. C.
337.

Livy says, that Alexander King of Epirus came this year to Italy with his fleet. The learned Dodwell postpones this event to the time, where Livy dates Alexander's victory over the Lucanians and Samnites, that is to say, eight years later.

The other much more famous Alexander, whose victories acquired him the surname of the Great, signalized himself at the same time, but in a different region. He was nephew by the mother's side to the Alexander of whom we first spoke.

Though the revolt of the allies and of all the Latine states was no longer dubious, the Romans, as if their own interests had not been concerned, and only those of the Samnites, ordered ten of the principal Latines to attend, amongst whom were the two Prætors in office, L. Annius of Setia, and L. Numicius of Circeii (those two cities were both Roman colonies) to receive such orders as it should be judged proper to give them. The two Prætors, before they sat out for Rome, called an assembly, to know in what manner they should answer the orders, which they expected would be given them. Opinions being very much divided, Annius, who had given his first, spoke again as follows.

" Though I myself proposed deliberating upon the
" answer it was proper to give the Romans, I believe
" that the question at present is not so much to en-
" quire, what it is necessary to say, as what it is ne-
" cessary

A. R. 415.

Ant. C.

337.

cessary to do. When we have fully determined how
 we shall act, it will be easy to adapt words to our
 conduct. If we are abject enough to persist still in
 suffering a shameful slavery, under the colour and
 name of an alliance, there is nothing to deliberate
 upon: we must answer the Romans, that on the first
 signal from them we will lay down our arms. But
 if we have the least sense of honour and love of
 liberty remaining, if we remember that the treaty
 concluded with them is between equal and equal, if
 we reflect that our troops compose the half of their
 army: for what reason, where forces are equal, shall
 authority not be equal also? In a word, to speak
 my whole opinion at once, wherefore of the two
 Consuls should not one be elected out of the Latines,
 as the other out of the Romans? If ever there was
 a favourable conjuncture for possessing ourselves of
 our rights, the present is so. You have made trial
 of their patience on many occasions, but especially
 in refusing them the troops you have been accus-
 tomed to furnish them for almost two hundred
 years. They have borne it patiently. Whence
 do you think proceeds this moderation, except from
 their knowledge of their own strength and ours?
 They fear you; and the answer which I know they
 made the Samnites, clearly shews, that they reckon
 Latium no longer in their dependance. If any one
 here is afraid to be the carrier of your demands, I
 offer myself to go, and make them known, not only
 before the Senate and People of Rome, but in the
 presence and sight of their Jupiter Capitolinus. I
 will declare there to them in your name, that, if
 they would have us for friends and allies, they
 must receive one of the Consuls from us, and com-
 pose a Senate half Romans and half Latines." This
 discourse was generally applauded, and Annius com-
 missioned to do and say whatever he should think
 expedient for the honour and interest of the Latine
 states.

When

When the deputies arrived at Rome, the Senate gave them audience in the Capitol. The Consul T. Manlius declared to them in the name of the whole body, that the Samnites were the allies of Rome, and that therefore the Latines had to desist from making war against them. Annius then replied, not with the gravity and moderation of a deputy, but with the tone of a victor, who had taken the Capitol by force of arms. "You certainly ought not, Romans," addressing himself to Manlius and the Senate, "to assume the stile of masters over us, at least now, when you know to what an height of greatness and power the Latine people have attained, as well by their own, as the forces of their allies. As you cannot resolve to put an end to your imperious sway, according to all the rules of nature and reason, we ought, as it is in our power, to assert our liberty. However, as we are descended from the same blood, we are willing, in consideration of a tie always to be regarded, to proceed by the methods of accommodation; and since it has pleased the Gods to make the forces of the two people equal, propose conditions of peace to make them equal also in power and authority. For this end then, of the two Consuls one must be chosen out of the Romans, and the other out of the Latines; and the Senate must consist also of an equal number of you and us, so that the Romans and Latines for the future may form only one people and commonwealth. And in order that there may be but one common seat of empire, and the two people may bear the same name, as it is absolutely necessary for one of them to resign that honour to the other, for the sake of peace, we consent, that Rome shall become our common country, and that we be all called Romans."

The Consul Manlius, who was of a character no less proud and haughty than the Latine deputy, was seized with fury on this discourse, and declared that if the Senators were so void of reason and common sense

A. R. 415.
Ant. C.
337.

sense as to accept such conditions, he would enter the Senate sword in hand, and kill all the Latines that should dare to place themselves there. Then turning towards the statue of Jupiter: "Great God, cried he, do you hear the criminal and impious proposal they make us! Will you behold foreign Consuls and a foreign Senate in your sacred temple! Is this then, Latines, the treaty which Tullus King of Rome made with the Albans your forefathers? or that since renewed with you by Tarquinius Priscus? Perhaps you have forgot the battle at the lake of Regillæ. Can you forget both your former defeats, and our signal benefactions, in such a manner?"

After Manlius had made an end of speaking, the Senate expressed no less indignation than their Head; and whilst the Consuls and Senators were calling upon the Gods, the witnesses of treaties and alliances, it is said that Annius was heard to express himself in terms of contempt and insult against Jupiter. But it is certain, that in descending from the porch of the temple with precipitation, he fell from the top to the bottom of the steps, and struck his head so violently against the stones, that he was stunned, and, according to some authors, expired upon the spot. Others add, that whilst the Senate was imploring the vengeance of the Gods, thunder was heard, which was followed by a great storm. All this might be true, says Livy; but seems better adapted to the theatre than history, where it might serve to embellish the scene, and for the better representation of the anger of the Gods. And indeed as I have often observed, it was the custom of the ancients to throw the marvellous into singular and remarkable events.

Manlius, whom the Senate had ordered to reconduct the ambassadors, seeing Annius upon the ground, cried out aloud, so as to be heard by the Senate and People: "Heaven has heard our prayers, and declared for us. Yes, there is a Providence, there is a Jupiter, who regards the prayers addressed to him.

" Fear

" Fear not, Romans, to take arms, which the Gods
 " themselves put into your hands. I will treat the
 " Latines, and level them with the earth, in the same
 " manner as you see the Gods have done their
 " Chief."

This expression gave the People so much resentment against the Latines, that if the magistrates ordered to accompany the Deputies had not been present, the law of nations would not have secured their persons. War against the Latines was decreed. The Consuls, having raised two armies, which were joined by that of the Samnites, set out immediately, and incamped near Capua, where the Latines and their allies had their rendezvous.

Here, during the night (I have no other authority for this fact than Livy's credulity; neither does he affirm it positively) the two Consuls had the same dream or vision. A man of a larger and more majestic stature than ordinary appeared to them, and told them : " That the general on one side, and the army on the other, were due to the Dii Manes and Gods of the earth; and that the army, whose general should devote himself and the legions of the enemy to those Gods, should be victorious." When the Consuls had related this vision to each other, they judged it necessary to offer sacrifices to the Gods, in order to avert their wrath; and they were the better pleased with consulting the Gods in this manner, as, if the inspection of the entrails foretold the same thing as their dream, one of the two Consuls might prepare to fulfil the decree of the fates.

The answer of the Aruspices agreed perfectly with the idea Manlius and Decius had conceived in effect of their dream. They therefore assembled a council of war; and in order that the death of one of the Consuls might not give the army terror and consternation, it was agreed, that on the side which first gave way in the battle, the Consul should devote himself for the Roman People and their armies. It was also thought necessary

A. R. 415.
Ant. C.
337.

necessary in so dangerous a war to revive all the ancient severity of the military discipline, and an order was published throughout the camp, to forbid fighting out of rank, and without the Consuls permission, upon pain of death. What made such strict precautions necessary, was because the Latines were the enemy, with whom they were preparing to engage. They usually supplied the Roman armies with half their infantry, and two-thirds of their horse. As they had long and often made war in conjunction with the Romans, they had entirely contracted their genius and manners. Every thing was the same on both sides: the same arms, the same discipline, the same evolutions, and often even the same valour. The sole difference almost was, that of the generals, who were always the greatest and most able amongst the Romans, born to command. It is evident therefore, that too much precaution could not be taken against such an enemy.

The Consuls sent out horse on all sides to observe the motions of the enemy, who were not far off. T. Manlius, the son of the Consul, having advanced at the head of a squadron almost to the gates of the camp of the Latines, was challenged to a single combat by one of the principal persons of their army, who also added haughtiness and insult to that defiance. The young Roman, full of fire and courage, could not contain himself. Whether rage, or shame to refuse the combat, or lastly, says Livy, whether urged on by the inevitable necessity of his fate, he forgot, at that moment, the respect and submission, which he owed to his father's authority, and the orders of the Consuls; and ran blindly into a combat, of which the event could not but be fatal to him, whether he conquered or were overcome. He killed his enemy, and after having taken his spoils, returned in triumph with his troops. When he arrived at the camp, he went directly to his father's tent, scarce knowing either the nature of what he had done, or what was going to hap-
pen

MANLIUS, DECIUS, Consuls.

351

A. R. 415:
Ant. C.
337.

pen to him in consequence; and assuring himself of praises, when he ought to have expected nothing but punishment. He presented himself therefore with confidence. "Father, said he, I have followed your example, and proved myself your son. I bring you these spoils of an enemy, who challenged me, and whom I killed in single combat." As soon as the Consul had heard those words, he turned away, seemed both with his eyes and hands to push the young man from him, and immediately assembled the army. Then addressing himself to his son: "T. Manlius, said he, since without regard either to the Consular dignity, or the authority of a father, you have presumed contrary to our express orders to skirmish with the enemy, and have thereby, as far as in you lay, abolished the military discipline, which has been to this day the support of the Roman State, so as to have reduced me to the sad necessity, either of betraying the interests of the Commonwealth, or of sacrificing myself with whatever is most dear to me: it is just that we suffer the punishment of our offence, rather than it should fall upon our innocent country. We are going to give a sad and mournful example, but a salutary one to the troops of all succeeding times: not but that paternal tenderness, and even this first essay of your valour, which you have just given, suffering yourself to be misled by a vain phantom of glory, plead strongly with me in your behalf. But as it is necessary either to enforce the respect due to the Consular authority by your death, or to authorize the contempt of it by suffering your crime to pass with impunity; I believe you yourself, if you have any blood of mine in you, will not refuse to reinstate the military discipline by your punishment, which you have subverted by your disobedience. Go, Licitor, fasten him to the stake." So cruel a decree undoubtedly cost him who made it some tears; and if, on this occasion, the love of the public good triumphed over paternal tenderness, we

A. R. 415.
Ant. C.
337.

must believe that it did not entirely extinguish the sense of it.

The whole army was struck with terror and consternation at so excessive and horrid an order; and each imagining he saw the ax in a manner preparing for himself, continued within bounds, less out of submission than fear. All kept a mournful silence for some time. But when they saw the head of young Manlius drop, and the earth covered with his blood, they quitted on a sudden the kind of stupefaction into which their first surprize had thrown them, gave a free vent to their groans and complaints; expressing the most tender compassion and regret for the son, and uttering the most violent execrations against the cruelty of the father. They celebrated the funeral of that unhappy youth with the utmost solemnity. They covered his body with the spoils of the enemy he had killed, erected him a funeral pile without the intrenchments, and the soldiers, in paying him these last sad duties, shewed the greatest zeal and the utmost tenderness in honour of his memory.

The action of Manlius, by whatsoever name it may be called, for I do not examine that here, whether it be denominated just severity, or barbarous cruelty, produced a double effect. On the one side, it rendered the soldiers more strict and obedient: on the other, it made the Consul eternally odious; the command of Manlius, *Manliana imperia*, became a proverb to express the most terrible and exorbitant excess of severity. †

Liv. l. 8.
12.

The battle was fought near mount Vesuvius on the way to * Vesperis. The Roman Consuls, before they led the troops to battle, sacrificed victims, in order to know the will of the Gods from the inspection of their entrails. The Aruspex found something wanting in the † head of the liver of Decius's victim, but that

* It is doubted whether this be the name of a city, or of a river.

† What the ancients meant by "head of the liver" is not precisely known; but it was by that part they judged whether the victim were agreeable to the Gods or not.

the rest of it was acceptable to the Gods: that of A. R. 415.
 Manlius was perfectly good. "I am satisfied, said Ant. C.
 337.

"Decius, if the victim of my colleague be entirely
 "grateful * to the Gods." The army advanced * Litatum
 afterwards to engage. Manlius commanded the right est.

wing, and Decius the left. The battle was fought
 with equal forces, valour, and success at first. At
 length the Hastati of the left wing not being able to
 sustain the impetuous charge of the Latines, retired
 to the second line, where the Principes fought. In

this disorder the Consul Decius cried out with a loud
 voice to the Pontiff Valerius, "We have occasion here,
 "said he, for the assistance of the Gods. Lend me
 "the aid of your office, and repeat the words which
 "I am to pronounce in devoting myself for the army."

The Pontiff ordered him to put on the robe called
 Prætecta; and with his head covered with a veil, one
 hand raised under his robe as high as his chin, and a
 javelin under his feet, he made him pronounce these
 words standing upright. "Janus, Jupiter, Father

"Mars, Quirinus, Bellona, Dii Lares, Novensiles,
 "Indigetes, and you, Gods, who have a particular
 "power over us and our enemies, Dii Manes, I beg,

"I humbly implore, I ask the grace, and I rely upon
 "obtaining it, that you will bestow courage and vic-
 "tory upon the Roman People the Quirites; and at

"the same time that you will spread terror, conster-
 "nation, and slaughter amongst the enemies of the
 "Roman People the Quirites. And conformably to

"the words I have just pronounced, I devote myself
 "for the Commonwealth of the Roman People the
 "Quirites, for the army, legions, and auxiliary troops

"of the Roman People the Quirites, and I devote
 "with myself the legion and auxiliary troops of the
 "enemy to the Dii Manes and the Goddess of the

"Earth."

After having pronounced these prayers and impre-
 cations, he ordered his Lictors to retire to Manlius,
 and to inform him, without loss of time, that he had
 devoted himself for the army. Then wrapping his

A. R. 415.
Ant. C.
337.

robes about him, after the * Gabian manner, he threw himself impetuously into the midst of the enemy. Terror and consternation in consequence seemed to lead the way before him. Wherever he turned, the enemy, as if thunder-struck, were immediately seized with horror and dread. But when he fell under a shower of darts, the confusion and disorder of the Latines redoubled. The Romans at that instant, filled with the confidence of having engaged the Gods on their side, renewed the fight with new valour and vigour. Hitherto only the two first lines, that is to say the Hastati and Principes, had shared in the action. The Triarii, who formed the third line, waited the Consul's orders to move, kneeling upon their right knee. Manlius having received advice of his Colleague's death, and seeing that the Latines had the advantage in several places through the superiority of their numbers, was in some suspense whether it was not time to make the Triarii advance. But presently after judging it best to reserve them for the end of the action, he contented himself with making only some light-armed troops of the third line move to the front. The Latines, who believed them the whole body of the Triarii, brought theirs on also. The latter fought long with great ardour, and though their lances were either broke or blunted at the points, and themselves exceedingly fatigued by redoubled efforts, they however began to break the Romans, and believed themselves sure of the victory, imagining they had penetrated as far as the third line. The Consul then made the Triarii advance; who being entirely fresh, and having to do with troops already fatigued and exhausted, soon put them to the rout, and that with no great difficulty. An horrible slaughter of the Latines ensued, of whom scarce a fourth part escaped. The Samnites, who were at the foot of the mountain, augmented the terror of the Latines.

The whole honour of this battle was justly ascribed to the Consuls: of whom the one, says Livy, averted

* Incinctus cinctu Gabino.

MANLIUS, DECIUS, Consuls.

355

the wrath of the Gods from the Romans, and made it fall upon the enemies; and the other shewed a courage and conduct in this battle, that gave all the writers, whether Romans or Latines, who transmitted accounts of it to posterity, reason to say, that on whatever side Manlius had been, that army must infallibly have been victorious.

Of the Latines who fled some retired to Minturnæ a little above the Mouth of the Liris, and others to Vescia. The Romans took their camp after the battle with abundance of prisoners. The body of Decius was not found till the next day. His colleague celebrated his funeral with great magnificence.

The courage of devoting themselves to death for the preservation of their country, became a kind of domestick and hereditary virtue in the family of the Decii. * The father gives us an example of it here in the war against the Latines. His son in that with the Heturians will pique himself upon treading in his steps, and will devote himself like him. And his grandson, according to Cicero, in a battle with Pyrrhus, will renew this glory peculiar to his family in his person. But how great soever Cicero's authority may be, the silence of historians, of whom none mention the last's devoting himself, except as a design not reduced to execution, renders this fact at least extremely doubtful.

The Romans, superstitious to excess, attributed the success with which these devotings were always attended, to a visible miraculous protection of the Gods. Cotta in Cicero, who is not so credulous, finds nothing more than natural in it. † It was, says he, a stratagem of these great Men, who loved their country

* Si non mors timeretur——non cum Latinis decertans pater Decius, cum Etruscis filius, etiam cum Pyrrho nepos, se hostium telis objecissent. Tusc. Quæst. l. 1. n. 9.

† Consilium illud imperatorum fuit, quod Græci *σπαρτήριον* appellant, sed eorum Imperatorum qui patriæ consulere, vitæ non parcerent. Rebantur enim fore, ut exercitus imperatorem, equo incitato se in hostes immittentem, persequeretur: id quod evenit. De nat. Deor.

A. R. 415.
Ant. C.
337.

enough to sacrifice their lives for it. They were persuaded, that the soldiers, seeing their general throw himself into the midst of the enemy, where the battle was hottest, would not fail to follow him, and braving death by his example carry terror and consternation every where. And in this consisted the whole miracle.

The Latines having raised new troops hastily, in hopes to surprize Manlius, who expected nothing less than to see himself attacked by defeated enemies, were routed a second time at Trifanum, between Sinuessæ and Minturnæ. The loss was so considerable, that all the Latines, and after their example the People of Capua, submitted to the Romans. Part of their country was taken from them; and Roman colonies sent thither. The horse of Capua, to the number of sixteen hundred, were not involved in this punishment, because they had not shared in the revolt. To reward their fidelity they were made Roman citizens, and the people of Capua were obliged to pay each of them yearly the sum of four hundred and fifty * Denarii, which might amount to about ten pounds sterling.

Manlius when he returned to Rome was met only by the old men. The youth looked upon him with detestation both then, and during all the rest of his life.

It is natural enough to examine what we ought to think of the action of Manlius, who puts his son to death without mercy for having fought contrary to his orders; whether we should consider it as a virtuous and laudable action, or an excess of severity, which cannot be too much detested, because carried into barbarity. We are at the same time surprized to see two characters so entirely opposite in the same man: † a generous tenderness for a father, from whom he

* The Denarius was not yet coined at Rome, but might be in use amongst the Campanians.

† Magnus vir imprimis & qui perindulgens in patrem, idem acerbior in filium. Offic. 3. c. 12.

had received nothing but ill treatment; and inhuman cruelty to a son, whose whole crime was his having abandoned himself to an immoderate indeed, but pardonable desire of glory one would think, at his age.

A. R. 415.
Ant. C.
337.

The bold and hazardous action of Manlius to save his father, evidently shews, that he was not one of a bad heart, and void of the sentiments, which nature and humanity inspire. Another cause must therefore be found for his treatment of his son. And this is neither obscure nor doubtful. Abandoned zeal for his country prevailed in him over nature and paternal tenderness. *Ipsi naturæ patriæque amor prætulit jus majestatis atque imperii*; and Livy does not fail to make him declare it in the harangue, which he puts into his mouth. Manlius was a father, but he was a Consul. He loved his son, but he loved his country still more. Every body knows what was the idol of the Romans; to which they believed themselves obliged to sacrifice every thing: I say obliged, even by the laws, which prescribed the order of duties. The Gods had the first place, their country the second: and the reciprocal duties of father and son held only the third. When the two last clashed, the struggle was hard; and to give their country the preference, required a constancy, or, to speak more justly, a kind of ferocity of mind, which silenced the voice of nature, and the sentiments implanted deepest in the heart of man. For, we must confess, whatever greatness of soul may be pretended in the principles, on which Brutus, Manlius, and several other famous Romans acted, when we examine them seriously and in cool blood, we cannot but be conscious of a secret voice within ourselves, that condemns them, because repugnant to nature and humanity.

Cic. 1. de
Fin. n. 23.

Cum ventum ad verum est, sensus moresque repugnant.

Horat. Sat. 1. l. 1.

A. R. 416.
Ant. C.
336.

T. ÆMILIUS MAMERCINUS.

Q. PUBLILIUS PHILO.

Liv. l. 8.
C. 12.

The Latines, discontented with having been deprived of part of their country, continued their motions. The two Consuls marched against them. The latter defeated the enemy, took their camp, and obliged several states to submit to the Romans. His colleague, however, made his troops advance against the inhabitants of Pedom. They were supported by the cities of Tibur, Præneste, and Velitræ, and aid had been sent them from Lavinium and Antium. The Romans having had the advantage in some battles, Æmilius approached Pedom, where the enemy, in conjunction with their allies, had established their camp; and the whole weight of the war was turned on that side. Before it was terminated, Æmilius, having received advice, that a triumph had been decreed his colleague, returned hastily to Rome to demand the same honour, though he had not yet obtained the victory. The Senate, offended at so ill-tim'd an importunity, refused him a triumph, till Pedom should either be taken by force, or surrendered by capitulation. This refusal incensed him against them, and during the rest of his Consulship, he acted like a true Tribune of the people, without any opposition from his colleague, who was a Plebeian. The Senate, under pretext of a new revolt of the Latines, but in reality to rid themselves the sooner of two Consuls, with whom they were dissatisfied, ordered them to create a Dictator. Æmilius, who was then in authority, for the two Consuls when together presided by turns, nominated his colleague, who chose Junius Brutus General of the Horse.

It was natural to expect that a Plebeian Dictator would not fail to signalize his administration by some institution in favour of the people, and against the nobility; and this happened. He passed three laws highly mortifying to the Senate, and which gave a very great blow to their authority. The first was that the Plebiscita,

FURIUS, MÆNIUS, Consuls.

359

Plebiscita, that is to say, the ordinances of the People, should extend to the Senators as well as the Plebeians. This law had already been passed upon the expulsion of the Decemviri, and probably was not sufficiently put in force. The second ordained, * that the Senate should approve the laws first which should be passed in the assemblies by centuries, even before the People had given their suffrages; whereas anciently the decrees of the People were not in force, till after they had been confirmed by the Senate. And by the third it was instituted, that one of the two Censors should always be elected out of the People: not long before they had prevailed to have it made lawful for two Plebeians to be Consuls at the same time.

I am surprized that laws of such importance to the State should pass with perfect tranquillity, without noise, complaint, or the opposition of the Senate. Livy at least says not a word to that effect. This was probably because the Senate was without an head, the Dictator being against it. But I am still more surprized, that so wise a body, so attentive to its interests, and so jealous of its privileges, after having exasperated Æmilius by the refusal of a triumph, and in consequence seen him declare openly for the People, should, without necessity, order him to declare a Dictator, and put it into his power fully and immediately to revenge the pretended affront they had made him suffer.

L. FURIUS CAMILLUS.

C. MÆNIUS.

A. R. 417.
Ant. C.
335.

The Latines, after all their losses, were come to the point of not being able to endure either war or peace. Their weakness made them incapable of undertaking war; and their rage for having been deprived of part of their country would not permit them to have recourse to peace. They believed it observing a me-

* Ut legum, quæ comitiis centuriatis ferrentur, ante initum suffragium, patres auctores fierent. Liv. 8. c. 12.

A. R. 417.
Ant. C.
335.

dium, to keep themselves shut up within their cities to avoid drawing the Roman arms upon them; and to hold themselves also in readiness, in case the Romans should form a siege of any place, to march altogether to its aid. This plan did not succeed, and they executed it ill. The city of Pedum being besieged, only the people of Prænestæ and Tyber entered it, being its nearest neighbours. Mænius, one of the Consuls, attacked with advantage, and defeated near the river Astura the Aricini, Lavinians, and Veliterni, who had joined the Volsci of Antium, in order to march to the relief of the city. Camillus, the other Consul, made himself master of it by storm, after a defence of considerable length. When Pedum was taken, the two Consuls being joined, led their victorious troops against all the other cities; and subjected the whole country of the Latines. They left good garrisons in the conquer'd places, and returned to Rome. The honour of a triumph was decreed them unanimously, to which a new mark of distinction very extraordinary in those times was added, the erecting of two equestrian statues of them in the Forum.

Before the election of new Consuls, Camillus reported the actual condition of the Latines to the Senate, in order to their deliberating with proper information upon what it was proper to establish in respect to them. "Fathers, said he, all that remained to do in Latium has been happily effected by the favour of the Gods, and the faithful and valiant service of your soldiers. The armies of the enemy have been defeated near Pedum and Astura. All the Latine Cities, and Antium which belonged to the Volsci, have been either taken by force of arms, or voluntarily surrendered; and are now in the possession of your garrisons. As these people disturb us by frequent revolts, the question now is to find effectual means for establishing a solid and lasting peace. The Gods have put their fate entirely into our hands. It is for you to resolve, whether Latium shall subsist any longer or not. In respect to the Latines, you have

" it

" it now in your power to assure yourselves of perpe-
 " tual peace, either by treating them with rigour, or
 " pardoning them. Are you willing to treat a peo-
 " ple with the utmost severity, who have returned to
 " their obedience, and are no longer able to oppose
 " you? It is at your choice to destroy all Latium for
 " ever, and to reduce a country into a desert, which
 " in many important wars has supplied us with nume-
 " rous and excellent troops. Or is it your will, after
 " the example of your ancestors, to give a new aug-
 " mentation to the commonwealth, in receiving the
 " conquered people into the number of your citizens.
 " This you may do in a manner equally for your ad-
 " vantage and glory: And nothing is more certain,
 " than that the only means for establishing a firm and
 " permanent sway, is so to act, as to make the con-
 " quered people obey with joy. But, whatever choice
 " you make, it is necessary you should make it soon.
 " You know these people are in suspense between
 " hope and fear. It is for your interest, both to deli-
 " ver yourselves as soon as possible from this care, and
 " to take the advantage of their present state of un-
 " certainty, either for inflicting punishment, or grant-
 " ing them pardon, before they have had time to look
 " about them. Our duty was to put it into your
 " power to make such a choice as you should think
 " fit. It is yours now to determine upon that which
 " is most expedient for yourselves and the common-
 " wealth." I need make no remark upon the wis-
 " dom and eloquence of this discourse: but I desire the
 " reader to observe in what is going to be decreed in
 " respect to the Latines, how invariably the Roman
 " people persisted to adhere to the maxims of govern-
 " ment and rules of policy established from the foun-
 " dation of the empire, the end of which was to attach
 " the conquered states to them for ever, and to make
 " but one and the same people with them from thence-
 " forth, by granting them the freedom of Rome.

The discourse of Camillus was generally approved:
 but though the Senate did not hesitate in giving the
 pre-

A. R. 417.
Ant. C.
335.

preference to clemency, as the conduct of the States of Latium had been different, they believed it necessary to make some difference also in the treatment of them. The inhabitants of Lanuvium had the freedom of Rome granted them: they were permitted to use their own religious ceremonies, and it was decreed, that the temple and sacred grove of Juno Sospita should be common to them with the Roman People. The people of Aricia, Nomentum, and Pedum, were also made Roman citizens. The right the Tusculans already had was reserved to them, and the punishment of their revolt was made to fall only upon some particulars, who had been the ring-leaders of it. The people of Velitræ, who were anciently Roman citizens, were treated with great rigour, because they had frequently rebelled before. Their walls were demolished; and their Senators were ordered to quit the place, retire to the other side of the Tiber, and never to appear more on this side of that river under great penalties. Their lands were granted to a colony sent thither: and as their number was very considerable, the city was almost as well peopled as before. A new colony was also sent to Antium, and the ancient inhabitants were granted permission to join it if they thought fit. All their ships of force, with which they followed piracy, were taken from them, and navigation was prohibited them. All of them were granted the freedom of Rome. Part of those ships were brought to Rome and laid up in the Arsenals: the rest were burnt, and the heads or beaks of them employed as ornaments for the tribunal of harangues erected in the Forum; and from thence that tribunal derived the name of Rostra. Part of the country of Tiber and Præneste were confiscated, not only as a punishment for their last revolt, which they had been guilty of in common with the rest of the Latines, but because formerly, in order to throw off the Roman Yoke, they had joined the Gauls, a fierce and barbarous nation. The rest of the Latine states were deprived of the right and custom of allying by marriages,

ha
ad
Po
cha
bur
alm
Pat
fist
ous
tor.
cult
fille
been
of th
troul
ship.

Th
had t
neigh
and re

PAPIRIUS, DUILIUS, Consuls.

363

of trafficking with each other, and of composing the same common assemblies. The quality of Roman citizen, but without the right of Suffrage, was granted to the Campanians, out of consideration for their cavalry, who had refused to enter into the revolt of the Latines: as also to the people of Fundi and Formiæ, because they had always given the Roman armies a free passage through their country. The people of Cumæ and Sueffula had the same privilege.

A. R. 417.
Ant. C.
335.

C. Sulpicius Longus.

P. Ælius Pætus.

A. R. 418,
Ant. C.
334.

In this Consulship, a Vestal called Minucia, who had rendered herself suspected by too much care in adorning her person, having been accused before the Pontiff, was convicted of having violated the law of chastity, and suffered the usual punishment of being buried alive.

The Prætorship, which from its institution, during almost thirty years, had always been exercised by the Patricians, was given this year to a Plebeian for the first time: his name was Publilius Philo, an illustrious person, who had already been Consul and Dictator. For in those times the Romans made no difficulty in accepting an inferior charge, after having filled the highest dignities. The Senate, who had not been able to exclude the Plebeians from the first offices of the state, thought it needless to give themselves any trouble to prevent them from holding the Prætorship.

L. Papirius Crassus.

Cæso Duilius.

A. R. 419.
Ant. C.
333.

The Ausonians, who inhabited the city of Cale, had taken arms in conjunction with the Sidicini their neighbours. They were defeated by the Romans, and retired into their respective towns.

M. VALE.

A. R. 420.
Ant. C.
332.

M. VALERIUS CORVUS, IV.

M. ATILIUS REGULUS.

M. Valerius besieged and took the city of * Cale.

A. R. 421.
Ant. C.
331.

T. VETURIUS.

SP. POSTUMIUS.

A colony of two thousand five hundred citizens were sent to Cale.

A. R. 422.
Ant. C.
330.

A. CORNELIUS, II.

CN. DOMITIUS.

Dodwell places the first descent of Alexander King of Epirus into Italy in this year. Having landed at Pæstum, he first attacked the Lucanians, and ravaged their country. The Samnites immediately flew to their aid. Those two people were defeated in battle. Alexander made an alliance with the Romans.

The Census was now taken. As the number of the citizens had been very much augmented by the new conquests, two Tribes were added to the former in their favour: the tribe Mæcia, so called from Castrum Mæcium, which was not far from Lanuvium; and the tribe Scaptia, which takes its name from Scaptia, a small town near Pedom. By this addition the Tribes amounted to the number of twenty-nine,

A. R. 423.
Ant. C.
329.

M. CLAUDIUS MARCELLUS.

C. VALERIUS POTITUS.

Liv. l. 8.
c. 18.

This year was distinguished by a sad event, occasioned either by the badness of the air, or an horrible crime. Livy relates the second cause at large; but observes, that it appeared doubtful to some authors. The principal persons of the city, to the surprize of every body, died of diseases which seemed to be the same, and almost all with the same symptoms. In the

* This city was famous for the excellent wine of its territory.

trouble and alarm of the whole city in consequence, a female slave went to Q. Fabius, afterwards surnamed Maximus, who was then Curule Ædile, and promised to discover the cause of this mortality, provided she might be protected from the consequences with which the affair might be attended. Fabius immediately gave the Consuls advice of this information, and they reported it to the Senate, who caused the assurances the slave demanded to be given her. She declared that the mortality was occasioned by poison prepared by the Roman ladies, and that if proper persons were sent with her, they would have evident proofs of what she said. The Consuls in consequence went with her, surprized some ladies actually employed in preparing certain drugs over the fire, and found potions ready composed locked up in their keeping. They caused these potions to be carried into the Forum, and made twenty Roman ladies, in whose houses they had been found, appear before them. Two of them, Cornelia and Sergia, were of the Patrician order, who said that those draughts were wholesome remedies. The slave, who saw herself charged with false accusation by that answer, insisted that themselves should take them to shew their innocence. Having caused the multitude to be removed, they consulted together, boldly accepted the proposal, and all perished immediately by their own crime. Their accomplices were instantly seized, and discovered a great number of ladies guilty of the same practice, of whom an hundred and twenty were condemned. The tribunals of Rome had never before taken cognizance of the crime of poisoning.

Besides what Livy says, that some authors ascribe the mortality of this year, not to poison, but to an epidemical disease; there is, in my opinion, several circumstances in the relation itself, that make it little probable, especially the number of near two hundred women convicted of this crime. Is it credible, that they should keep a secret of that importance any time
fo

A. R. 423. so inviolably, as not to let any circumstance concerning it transpire and take air?
Ant. C. 329.

However it were, this event is considered as an effect of the wrath of the Gods; and in order to appease it, recourse was had to a ceremony, already employed sometimes in dangerous conjunctures, which has been mentioned elsewhere: this was "to drive a nail" into the temple of Jupiter. A Dictator was nominated for that purpose.

A. R. 424.
Ant. C. 328.

L. PAPIRIUS CURSOR.
C. POETELIUS LIBO.

Polyhist.
c. 35.

Dodwell adds a year in this place omitted by Livy, in which the persons just mentioned were Consuls. Solinus says, that Alexandria in Egypt was built at this time. Livy postpones this event six years; which error is believed to proceed from the resemblance between the names of the Consuls then elected, and those of this year.

S E C T. IV.

Siege of Privernum. That city is taken. War declared with the city of Palæopolis. Dispute concerning the pretended vicious creation of a Dictator. Death of Alexander King of Epirus. War with the Samnites renewed. Palæopolis taken. Regulation against creditors. War declared against the Vestini. They are defeated. Papirius Cursor is declared Dictator against the Samnites. His dispute with Q. Fabius his master of the horse, who had given battle contrary to his orders, and whom he is for putting to death. He pardons him at last at the request of the People. The troops disgusted with the Dictator, express their discontent in a battle. He reconciles them. The Samnites are defeated, and obtain a truce for a year.

L. PA-

ÆMILIUS, PLAUTIUS, Consuls.

367

L. PAPIRIUS CRASSUS, II.

A. R. 425.
Ant. C.

L. PLAUTIUS VENNO.

327.

THE following years have no very remarkable event. The Ædiles caused porticos, from whence the chariots were to start in the races, to be built at the entrance of the Circes. They were called *carceres*, goals. The siege of Privernum was now undertaken, whose inhabitants, in conjunction with those of Fundi, ravaged the lands of their neighbours, the allies of the Roman People. Whilst two Consular armies were employed in this siege, a report spread, that the Gauls approached. Rome, on the least suspicion of that nation's being in motion, took the alarm. Levies were immediately made, and * the meanest workmen and shopkeepers, though very unfit for service, were lifted.

L. ÆMILIUS MAMERCINUS, II.

A. R. 426.

C. PLAUTIUS.

Ant. C.
326.

Mamercinus, to whom the war with the Gauls had fallen by lot, found, that the report concerning their march was without foundation. Plautius, the other Consul, who had continued the siege of Privernum, soon made himself master of it, and sent Vitruvius to Rome, the principal author of this war, whom the Privernates had put into his hands. He was a person of great power, not only at Fundi his country, but even at Rome, where he had a magnificent house. It was demolished, and he put to death. The walls of Privernum were levelled, and the Senate of that city banished beyond the Tiber, as had been done in respect to that of Velitræ.

Plautius, on his return to Rome, received the honour of a triumph. After that solemnity, which ac-

* Opificum quoque vulgus, & sellularii, minimè militiæ idoneum genus, exciti dicuntur. LIV.

ording

A. R. 426.
Ant. C.
326.

According to custom was followed with the punishment of the principal authors of the revolt; he assembled the Senate, to determine in respect to the fate of the Privernates, and the treatment they were to have. He represented, that the most criminal having suffered the punishment they deserved, the multitude, who had not given into this war on their own accord, might be spared, and the rather, because the city of Privernum bordered on the Samnites, in whose amity no great confidence could be placed. Opinions differed exceedingly, according as the Senators were differently inclined to lenity or severity. One of them having asked the ambassadors of Privernum, what punishment he believed his countrymen deserved: "That," replied one of them, "which those deserve who believe themselves worthy of being free." The Consul, who perceived the bad effect this answer had produced, which was too haughty, and too little reserved, for the present conjuncture, in order to afford him an opportunity of giving it a milder turn, interrogated him again with great goodness and in an amicable manner: "Well, and suppose we should entirely remit punishment, what peace would you observe with us in that case?" "A fixed and perpetual peace," replied the ambassadors, "if the conditions of it are equitable: uncertain, and of short duration, if otherwise." Some Senators were still more offended at this second answer, which they considered as a menace, and almost as a declaration of war: but the wisest and most judicious thought otherwise of it. They represented, that the answer argued a man of courage, jealous of his liberty. "And indeed," said they, "can you believe that any people, or even private person, will voluntarily remain in a condition with which he is discontented, and that he will not endeavour to extricate himself out of it as soon as he can? Peace is certain only from those who make it with a good will. No faith is to be expected from a people by those who would reduce them into slavery

very

fa
a
lo
be
fre
po
acr
A
certa
whic
distr
at hi
the
thoug
Th
polis.
The i
speak
and C
some
illes o
the co
power
own st
nites,
with th
plague
of host
erni.
L.
Q.
The t
as was
VOL.

CORNELIUS, PUBLIIUS, Consuls.

369

"very." The Consul supported this opinion, and said loud enough to be heard by those who thought in a different manner, "That only those who were jealous of their liberty above all things, were worthy of becoming Romans." This opinion prevailed, and the freedom of Rome was granted the Privernates.

A. R. 426.
Ant. C.
326.

A colony was sent this same year to Anxur, composed of three hundred citizens, to each of whom two acres of land were distributed.

P. PLAUTIUS PROCULUS.

P. CORNELIUS SCAPULA.

A. R. 427.
Ant. C.
325.

Another colony was soon after sent to Fregellæ. A certain largess was exercised this year for the first time, which became very common afterwards. M. Flavius distributed raw flesh amongst the People (*visceratio*) at his mother's funeral. This liberality acquired him the office of Tribune, to which he was promoted though absent.

The following year war was declared against Palæopolis. That city was situated very near Neapolis. The inhabitants of those two cities, which, properly speaking, made but one, were originally of Cumæ; and Cumæ derived its origin from Chalcis in Eubœa, some citizens of which, after having first seized the isles of Ænaria and Pithecusæ, removed at length to the continent, where they settled, and became very powerful. The city of Palæopolis, confiding in its own strength, and the aid it expected from the Samnites, who were but ill disposed to keep the peace with the Romans, and perhaps on the report of a plague's raging at Rome, had committed abundance of hostilities upon the lands of Capua and the Fæsterni. War was declared against it in form.

L. CORNELIUS LENTULUS.

Q. PUBLILIUS PHILO II.

A. R. 428.
Ant. C.
324.

The two new Consuls divided their forces. Publius was ordered to attack the Greeks, that is to say
VOL. II. B b Palæ-

A. R. 428. Palæopolis, and Cornelius to have an eye upon the
 Ant. C. Samnites, in order to prevent them from undertaking
 324. any thing. Upon advice that the latter were certainly
 making preparations of war, and solicited their neighbours to join them, Rome caused complaints to be made to them by her deputies, to which they answered with an air of haughtiness and pride, that sufficiently argued their thoughts, and for what they were preparing.

The time for the election of Consuls approached. It was not thought proper to send for either of the Consuls actually in office, because their presence was necessary in their armies. Cornelius was ordered to create a Dictator for holding the assemblies. He nominated M. Claudius Marcellus. The People had also decreed that Publilius, when his Consulship expired, should continue the war against the Greeks in quality of Pro-consul, till it was absolutely terminated. The Dictator however did not hold the assemblies, because difficulties were started concerning his creation; and the Augurs, who were consulted on the occasion, declared it vicious. The Tribunes of the People rose up strongly against this declaration, and rendered it much suspected, or rather absolutely ridiculous. "For indeed," said they, "how could the Augurs know that there was any defect in a creation, which the Consul had made in the night according to the usual custom, with all the necessary precautions to prevent the interfering of any obstacle. There is no advice from him upon this head, either to the Senate, or any private Person whatsoever. There is not a single mortal, who says he has seen or heard any thing capable of disturbing or preventing the auspices. And do the Augurs then pretend, whilst they remain quiet here in Rome, to have the privilege of divining what passes at distance in the camp of the Romans? Who does not perceive clearly, that the only defect the Augurs find in the nomination of Marcellus, is his being a Plebeian?" These reflexions appear very just, and unanswerable.

The

POETELIUS, PAPIRIUS, Consuls.

371

The Augurs however carried it, and an interregnum took place, which was succeeded by thirteen more. At last C. Poetelius, and L. Papirius Mugillanus were elected Consuls. It is under these Consuls that Livy says Alexandria was built.

A. R. 428.
Ant. C.
324.

C. POETELIUS II.

A. R. 429.
Ant. C.
323.

L. PAPIRIUS MUGILLANUS.

Livy places, but with better foundation, the death of Alexander king of Epirus in the same year. Though that has no relation to the Roman history; however, as that prince made war in Italy, Livy thought it merited a place here.

When the Tarentines pressed him to come to Italy, he believed it incumbent upon him to consult the oracle of Dodona, which is said to have answered, that he should shun the river Acheron, and the city of Pandosia, because the Destinies had decreed, that he should perish there. This answer made him hasten his voyage to Italy, in order to remove from Pandosia, a city of Epirus, and the river Acheron, which rises in the country of the Molossi, and empties itself into the gulph of Thesprotia: But (as it frequently happens, says Livy, that endeavouring to avoid, we often hurry into our fate) after having defeated the Brutians and Lucanians in several battles, taken several towns from them, sent three hundred persons of the most illustrious families as hostages to Epirus, he halted near a city, which he did not know was called Pandosia, and seized three eminences at some small distance from each other upon the frontiers of Bruttium and Lucania, in order to ravage from thence the country round about. Continual rains having laid it under water, and separated the bodies of his army in such a manner, that they were not in condition to aid each other, two of those bodies were cut in pieces by the enemy, who attacked them when they least expected it, after which they turned their whole forces against the king. The exiles of Lucania, who served in his troops, sent

Liv. l. 8.
C. 24.

A. R. 429.
Ant. C.
323.

to their countrymen, and promised to deliver the king into their hands dead or alive, upon condition of being reinstated again at home. In this extreme danger, the king had the courage to open himself a way through the enemy with an handful of followers, and to kill the general of the Lucanians, who opposed him, with his own hand. Drawing together his troops who had dispersed on all sides in their flight, he arrived on the banks of a river, whose bridge, though it had been lately carried away by the violent inundations, served however to point out the passage. As the troops were passing this stream with great difficulty, not knowing where it was fordable, a soldier quite exhausted with fatigue, and frozen with fear, cried out: "Ah, unfortunate river! it is with reason they call thee Acheron." When the king heard that word, he immediately called to mind the answer of the oracle, and stood short, in doubt whether he should pass the river or not. But seeing the Lucanians advancing towards him, he drew his sword, and spurred his horse into the current. He had scarce entered it, when one of the Lucanian exiles wounded him with a javelin, and he fell dead. The stream carried his body towards the enemy, who tore it in pieces, and did it a thousand outrages. In the midst of their fury, a woman in great affliction ventured to present herself to them, and asked as a favour, that they would grant her the remains of that unfortunate dead body, which would serve her as a means for getting her husband and children out of the hands of the enemy, who kept them prisoners. Her prayers and tears prevailed, and they desisted from insulting the body. She paid the last duties to those miserable remains in the city of Consentia, and put the king's bones into the hands of the enemy, who were at Metapontum, which were carried from thence into Epirus to Cleopatra his wife, and Olympias his sister, of whom the latter was mother, and the former sister of Alexander the Great.

The ceremony of the Lectisternium was celebrated at Rome this year for the fifth time, as it had been for

the third the 391st year of Rome. Livy does not speak of the fourth. A. R. 429.
Ant. C. 323.

The Consuls who had been elected after several interregna, caused war to be declared against the Samnites in all the forms, and applied themselves entirely in making the necessary preparations for its success. Liv. l. 8.
c. 25, 26,

They received aid, which they did not expect: this was from the Lucanians and Apulians, states which had never had any commerce with the Romans till then, and who came now of themselves to offer them their troops in the war against the Samnites. Their offer was accepted with joy, and a treaty of alliance was concluded with them.

The Romans took some cities from the Samnites, and ravaged part of their lands.

They had no less success against the Greeks. —The auxiliary troops sent by the Samnites and people of Nola to the aid of Palæopolis, committed excessive disorders in that place. —This induced the besieged to surrender themselves to the Romans. —They did so by the advice and assistance of two of their principal citizens, who having the address to make the Samnites quit the city, —under pretext of an important enterprise against the enemy, introduced the Roman troops into the place.

Publius, after the taking of the city, returned to Rome, where he received the honour of a triumph. Two singular distinctions in those days, but which became very common afterwards, render that general's command remarkable in history. He was continued in authority under the title of Pro-consul; and triumphed after the expiration of his office as Consul. These are two novelties, till then without example.

A new war with other Greeks situated in a very different region, began at this time to give Rome some perplexity. I defer speaking upon that head, till the breaking out of that war in earnest. Ib. c. 27.

An odious and cruel violence, attempted by a creditor, against the son of his debtor, who had put him-

A. R. 429.
Ant. C.
323.

self into his hands in his father's stead, made way for a wise institution, by which the imprisoning of citizens for debt was prohibited. The estates only, and not the persons of debtors, were abandoned to creditors. This regulation does not seem to have been always exactly observed, because forty years after, it was necessary to renew it, when the multitude retired to Janiculum.

A. R. 430.
Ant. C.
322.

L. FURIUS CAMILLUS, II.
D. JUNIUS BRUTUS SCÆVA.

Liv. l. 8.
c. 29.

The first care of these Consuls was to propose an affair of importance, that acquired immediate decision, to the Senate. The Vestini had lately joined the Samnites, with whom the Romans were actually at war. It was apprehended, that their example, if it remained unpunished, would become contagious, and procure the Samnites more allies. But it was to be feared, in case of attacking the Vestini, that the neighbouring States might take the alarm, and it was almost certain, that the Marfi, Peligni, and Marrucini, who altogether were not less formidable than the Samnites, would declare against Rome. The deliberation was delicate and perplexing. The boldest conduct, though it might seem the least prudent, was preferred, and war was declared against the Vestini. * The event shewed, that there is wisdom sometimes in hazarding, and that timorous counsels are not always the most successful. This war fell by lot to Brutus, and that against the Samnites to Camillus. The armies of both took the field, and the care of preserving their own country prevented the enemy from joining their troops.

Liv. l. 8.
c. 29—37.

Camillus, whose province was the most important, having been rendered incapable of discharging the functions of it by a considerable illness, had orders to declare a Dictator. He nominated L. Papirius

* Eventus docuit, fortes fortunam juvare. Liv.

Cursor, one of the greatest generals Rome had ever produced, who appointed Q. Fabius Maximus Rulianus, master of the horse, a young man of the highest birth, and still greater hopes. These two persons, so well matched one would think, if they were famous for the victories they gained during their command, were still more so for the difference that arose between them, in which things were carried almost to the last extremities, as we shall soon see.

Every thing succeeded with Brutus on the side of the Vestini. The ravaging of their country reduced them against their will to come to a battle, wherein they lost most of their troops. It was bloody also on the side of the Romans, who bought this victory dear. They pursued the enemy into their camp, which they soon abandoned for the refuge of their cities, most of which were taken.

As to the Dictator, he was obliged, probably on account of some pretended necessary ceremonies omitted at first, to return to Rome to consult the auspices. Upon quitting the army, of which he left the command to the master of the horse, he expressly forbade him to fight in his absence. But Fabius no sooner saw him set out, than he conceived thoughts of forming some enterprize, and especially when he received advice of the enemies extreme negligence since the departure of Papirius. Disgust to see the Dictator act despotically, as if the success of all things depended solely upon him, and the favourable occasion which he thought he had of signalizing himself by a glorious action, made him forget the orders he had received not to fight. He made haste to attack the Samnites. The success of the battle could not have been greater, if the Dictator had been there in person. The general and soldiers did their duty perfectly well, and twenty thousand of the enemy were left upon the field. Some authors even said, as Livy observes, that there were two battles, and that Fabius was victorious in both. He took care to burn the spoils of the enemy, whether he had made a vow to that effect,

A. R. 430.
Ant. C.
322.

which was common enough, or rather did it to prevent the Dictator from deriving any honour from them, and their serving to adorn his triumph.

Immediately after the action, he wrote advice to Rome of the victory, and addressed his letters to the Senate and not to the Dictator, thereby sufficiently intimating, that he had no thoughts of dividing the glory of his successes with him. The whole city was in great joy upon this news: only Papirius did not share in it, and expressed nothing but discontent and indignation. He immediately dismissed the Senate, which was actually assembled when this account came, and quitted it in the highest rage; declaring loudly, that the master of the horse had overcome the enemy, less than the authority of the dictatorship and military discipline, if his disobedience passed with impunity. He immediately set out for the army, menacing Fabius in the most terrible manner. But, notwithstanding all the expedition he made, some of Fabius's friends got to the camp before him, who flew from the city to give him notice, that the Dictator was upon the point of arriving, resolved to proceed with the utmost severity, and not opening his mouth, except in praise of Manlius's rigour in regard to his son.

Fabius, on the first news of the Dictator's approaching arrival, instantly assembled the soldiers, "conjuring them, that if they had not wanted valour to defend the commonwealth against its formidable enemies, they would have no less to save him, under whose conduct they had gained that glorious victory from the tyrannical cruelty of the Dictator." And he endeavoured to make the indignation of Papirius pass for an effect of envy. "He comes," said he, "full of a base and malignant jealousy of the good fortune and merit, which he sees with regret in another. He is in despair, that the commonwealth has had any advantage in his absence: and had rather, if that were possible, transfer the victory to the Samnites, than see it on the side of the Romans." After some other reflections of the same nature,

nature, he added, in order to interest the whole army in his quarrel: "that themselves were attacked in his person. That the Dictator was no less incensed against the officers, and even soldiers, than against the master of the horse. That he intended him as the first victim to his vengeance; but that it was with the view of exercising the same rigours afterwards against all the rest: and he concluded with saying, That he put his fortune, life, and honour into their hands." They all promised to defend him at the hazard of their lives.

In the mean time the Dictator arrives, and immediately summons the assembly. He causes Fabius to be cited, and asks him, in the first place, whether it were not true, that he had forbade him to fight; and in the second, whether he had not fought however. He ordered him to answer distinctly to those two questions. Fabius would have been at a great loss to have done so; and accordingly used evasions. Sometimes he complained of having his judge and accuser in the same person. Sometimes he cried out, with a loud voice, that he might deprive him of life, but not of the honour of an illustrious victory. He mingled justifications with reproaches. But these loose, and at the same time, offensive discourses only served to irritate the Dictator, who ordered his lictors to seize the master of the horse. Fabius at the same time called upon the soldiers for aid; and having disengaged himself from the lictors, took refuge in the midst of the army, who received, and surrounded him. The camp was in a dreadful tumult. Here prayers were heard, and there menaces. Those who were near the Dictator's tribunal, fearing to be known, as might easily happen, contented themselves with conjuring him to pardon the master of the horse, and not to condemn the whole army with him. But those who were at the extremity of the assembly, and the troops who surrounded Fabius, vented bold invectives aloud against the inflexible cruelty of the Dictator. At length Papirius's lieutenants, who were near his person, "desired him to defer the decision of that affair, and to take
time

A. R. 430.
Ant. C.
322.

time to consider of it seriously and in cool blood, They represented to him, that the master of the horse's fault, which proceeded rather from his youth than badness of disposition, had been sufficiently punished, and his victory dishonoured. They conjured him not to carry things to extremities, and not finally to degrade, by an ignominious punishment, both a young man of extraordinary merit, and his father a person of such distinguished worth in so many respects, with the whole illustrious house of the Fabii."

Seeing that these motives made no impression upon him, they desired him "to cast his eyes upon that multitude just ready to revolt; observing at the same time that it did not consist either with his age or wisdom, to augment the rage he saw too much enflamed already, and to furnish matter for a sedition just upon the point of breaking out: they added, that nobody would impute it to Fabius, who was for avoiding the punishment with which he was menaced, but to the Dictator, if, blinded by his rage, he exasperated the multitude against him by obstinately persisting to abate them nothing of his rigour. That, to conclude, lest he might think that they spoke in that manner merely out of favour to Fabius, they were ready to affirm upon oath, that they did not think it for the good of the Commonwealth in the present conjuncture to punish the crime of Fabius."

These remonstrances rather enraged Papirius against the lieutenants, than rendered him less inflexible in respect to Fabius. He commanded them to leave his tribunal; and then ordered silence to be made. But the horrible noise, that continued, prevented either himself or his officers from being heard. At length night, as sometimes happens in battles, separated the adversaries.

The master of the horse was ordered to appear the next day. But by the advice of his friends, who represented to him, that the anger of Papirius would only be the more violent in effect of contradiction, he fled to Rome in the night; and, by the advice of his father,

father, who had been three times Consul and Dictator, assembled the Senate. Whilst he was declaiming against the rigour and injustice of his general, on a sudden the noise of the lictors removing the crowd was heard at the door. It was the Dictator, who having been informed of the retreat of the master of the horse, had followed him close.

The quarrel was renewed, and Papirius ordered his lictors to seize Fabius. In vain did the principal persons of the Senate, and the whole Senate, demand grace for him. He persisted inflexibly in his resolution. M. Fabius, father of the master of the horse, had then recourse to the last refuge that remained, and addressing himself to the Dictator: "As nothing, said he, is capable of moving you, neither the authority of the Senate, the age of an unfortunate father, whom you are resolved to deprive of his only consolation, the merit and nobility of a master of the horse, nominated by yourself, nor, lastly, prayers, which often make the most obstinate enemies relent, and disarm the anger of the Gods: I put myself under the protection of the Tribunes, and appeal to the People; and because you will not comply either with the judgment of the army, or that of the Senate, I make the People our judges, who certainly have more power than your Dictatorship gives you. Let us see whether you will submit to an appeal, to which Tullus Hostilius, king of Rome, submitted."

In consequence of this appeal, they removed to the Forum. The Dictator ascended the tribunal for harangues, followed by very few. The Master of the horse did the same, accompanied by all the most illustrious persons of the city. Papirius at first ordered him to go down, and his father following him, said to the Dictator, "You do us a favour in making us descend into a place, where, though we were private persons, we could make ourselves be heard." At first what passed was not continued discourses, but tumultuous wrangling. At last the voice of Fabius the

A. R. 430.
Ant. C.
322.

the father, animated by his indignation, surmounted the tumult, and made the noise cease. He accused Papirius of pride and cruelty. He quoted himself by way of example, representing, "that he had been Dictator also at Rome, but that he had never treated any one whatsoever, Plebeian, officer, or soldier, injuriously. That Papirius sought to acquire a victory over a Roman general, as over the chiefs of the enemy. What difference was there between the wise moderation of the ancients, and the haughty cruelty, upon which people valued themselves now-a-days! And he related on this occasion, the examples of many great men, who had signalized themselves only by their lenity in respect to generals, who had failed in their duty either against themselves, or the Commonwealth. He added, that the Roman people, whose authority is sovereign, had never carried its anger farther against those, who had lost armies by their temerity and ignorance, than by condemning them in some fine; but that none of them had hitherto been punished with death for having succeeded ill. That now the rods and axes were to be employed against the generals of the Roman people, who had obtained glorious victories, a treatment which could not rightfully have been used against them, even though they had been defeated. And was it consistent, whilst the whole city was rejoicing and offering sacrifices of thanksgiving in the temples for the advantages gained by Fabius over the enemy, that Fabius himself should be led to execution in the presence of the people, and in the sight of the same Gods, whom he had not invoked in vain, and whose protection he had experienced in the two battles he had fought. What grief would that be for the Roman army! What matter of triumph to the enemy!" He vented these complaints imploring the aid of Gods and men, and with a flood of tears tenderly embraced his son.

Fabius had the majesty of the Senate, the favour of the People, the protection of the Tribunes, and the ardent wishes of the army, on his side. Papirius, on the

the contrary, insisted strongly upon the authority of the supreme command, considered till then as sacred and inviolable, military discipline, the orders of the Dictator always respected as oracles, the example of Manlius, and paternal tenderness sacrificed to the State. He authorized himself also by the punishment inflicted by Brutus, founder of the Commonwealth, upon his two sons. “ But now, said he, soft and indulgent fathers, easy old men, reckon the Dictator’s authority as nothing, and pardon a young man the subversion of military discipline, as a matter of little consequence. As for me, I shall continue fixed in my resolution, and will abate nothing of the just severity of the law, in regard to one who has fought in contempt at once of my orders and religion, at a time when the auspices were doubtful and uncertain. It is not in my power to prevent the majesty of the supreme command from being violated: but Papirius will never violate it in any thing by his own act. I desire that the Tribunitian power, which is inviolable, may itself not violate, by its opposition, the sacred rights of that command; and that the Roman People do not render vile, and destroy in my person, the authority of the Dictatorship, and the Dictatorship itself. If that be done, notwithstanding my remonstrances, posterity shall not blame L. Papirius for it, but the Tribunes and the inconsiderate judgment of the People, when military discipline being once abolished, the private soldier shall no longer obey the Centurion, the Centurion the Tribune, the Tribune the Lieutenant-general, the Lieutenant-general the Consul, nor the Master of the horse the Dictator. When neither men nor Gods shall be respected any longer; when the orders of the generals, and the auspices, shall be observed no more; when the troops shall disperse on all sides at their pleasure without leave; when, forgetting the religion of their oaths, and having no guide but licentiousness, they shall quit the service at will; when they shall keep to their colours

“ no

A.R. 430.

Ant. C.

322.

“ no longer, assemble no longer when ordered, distinguish no longer between day and night, whether they are in a favourable or disadvantageous post, and are to fight with or without the order of their general; when they shall no longer take any care to follow their colours, or keep their ranks; in a word, that the soldiery, instead of being governed, as they always have been, by their oaths and inviolable customs, shall become an headlong banditti, without rule and without law: Tribunes of the People, will you be responsible for these enormous disorders to all succeeding times, and take upon your own heads the horror of all these crimes, for the sake of supporting Fabius in his disobedience?”

These words, pronounced with a severe tone, and an air of majesty, made a terrible impression upon the People, each citizen considering them as so many curses, which he was going to take upon himself, in case he ventured to proceed any farther. The Tribunes in particular were so much confounded, and seized with such a terror in consequence, that they did not know where they were; and began to dread almost more for themselves, than for him whose defence they had undertaken. But the Roman People extricated them out of this difficulty, in having recourse to praying and conjuring the Dictator to grant them grace for the master of the horse. The Tribunes, following the People's example, united with them in their request; whilst Fabius the elder, and young Fabius, threw themselves at the feet of Papirius, imploring him with tears to suffer himself to be moved.

The Dictator then having caused silence to be made, spoke as follows. “ I am satisfied: Military discipline, the majesty of the supreme command, which ran the risque this day of being for ever abolished, have at length triumphed. Fabius, who presumed to fight contrary to the orders of his general, has not defended himself as innocent, but acknowledged himself guilty. He obtains pardon for his crime by the prayers of the Roman People and the Tribunes,

“ who

“ who ask life for him as a grace, not as a justice. A. R. 430.
 “ Live then, Q. Fabius, a thousand times more happy Ant. C.
 “ by the unanimity of your fellow-citizens in interest- 322.
 “ ing themselves for you, than by the victory which
 “ gave you so much joy. Live, after having com-
 “ mitted a crime, which your own father would not
 “ have forgiven you, had he been in my place. You
 “ may make your peace with me whenever you please.
 “ But for the Roman People, to whom you are in-
 “ debted for your life, know that the greatest mark
 “ you can give them of your gratitude, is to learn
 “ from what has passed this day, to obey submissively,
 “ as well in peace as war, those who have a legitimate
 “ authority over you.”

Thus ended this great quarrel. The Senate and People, full of joy, re-conducted Papirius in a body, congratulating both the Dictator and master of the horse with an equal effusion of heart. Every body believed, that the military discipline had been no less enforced by the danger Fabius had ran, than by the cruel punishment of young Manlius. It however cost Fabius his office. The Dictator deposed him, and appointed another master of the horse in his stead.

It does not belong to me to decide upon the conduct of these great men, whose views were so much superior, and who knew how far the good of the Commonwealth required, that severity and lenity should be carried. It cannot be denied, but that military discipline made it necessary, that Fabius, who had deserved death by his disobedience, should not obtain pardon till after having experienced all the danger of punishment, and that pardon should be granted him under the name of a grace and as to a criminal. The offer Papirius makes of being reconciled to him when he pleased, sufficiently argues, that he did not act from passion. But in my opinion, after all that had passed, which must have left a deep wound in the heart of a young Roman of Fabius's character, a pardon without reserve, mingled with some exterior marks of affection and tenderness, would have been very

A. R. 430.
Ant. C.
322.

very proper, if not to have healed that wound entirely, at least to have softened and abated the smart of it. The sequel of the history will shew, that Fabius always retained a warm resentment of the affront he had received.

It happened this year, as often as the Dictator removed from the army, that the Samnites put themselves in motion, and seemed desirous to come to a battle. But M. Valerius, the lieutenant-general, who commanded in the camp, had Fabius's example before his eyes, which made him less afraid of the enemy's attacks, than the inexorable anger of the Dictator. For this reason, when some foragers had fallen into an ambuscade, wherein they were defeated, it was believed that the lieutenant would have aided them, if the strict and terrible orders of the Dictator had not prevented him. This circumstance disgusted the troops still more in respect to him, who were already much dissatisfied with his inflexible rigour in the case of Fabius, and his having granted that to the prayers of the People, which he had obstinately refused to them.

When the Dictator returned to the camp, his arrival neither gave much joy to his troops, nor much fear to the enemy. The next day, whether the latter were ignorant of his return, or did not pay much regard to it, they approached the Roman camp in order of battle. Papirius immediately marched out against them, and shewed in the battle, of how great consequence the merit and ability of a single man is sometimes to an army. For it was agreed on all hands, that the war with the Samnites might have been terminated this day with success, if the troops had supported their general, so happily had he known how to take all advantages. But the soldiers were expressly wanting in their duty, to obscure the glory of their leader, and to prevent him from gaining the victory. The Samnites had most killed, and the Romans most wounded. The Dictator rightly perceived what had been the obstacle to his victory, and that it was necessary to moderate the haughtiness of his disposition, and mingle mildness

FURIUS, JUNIUS, Consuls.

385

A. R. 430.
Ant. C.
322.

mildness with severity. With this view, taking his lieutenants along with him, he went to visit the wounded, and putting his head into their tents, asked each of them how they did, and gave his lieutenants, Tribunes, and other officers, express orders that they should want for nothing. He acquitted himself with so much dexterity of a care very popular in itself, that in his endeavours to re-instate the health of the body, he perfectly cured the disorders of the mind, and conciliated their favour in a wonderful manner. This victory over himself soon procured him one over the Samnites.

When his army was entirely recovered, he attacked the enemy with entire assurance, as well in respect to himself as the troops, of obtaining the victory. Accordingly he gave them so great a defeat, that from thenceforth they did not dare to shew themselves any more in the field against him. He afterwards led his victorious army into the enemy's country, wherever the hopes of booty invited him, without finding any resistance. And what augmented the ardour of the soldiers, was his abandoning all the spoils to them. The Samnites, discouraged by so many losses, demanded peace of the Dictator. After having agreed with them, that they should give each of his soldiers an habit and a year's pay, he referred them to the Senate. The Dictator re-entered Rome in triumph. The Samnites could obtain only a truce for a year.

T H E

R O M A N H I S T O R Y .

B O O K T H E N I N T H .

THIS ninth book contains the history of twenty-five years, from the war with the Samnites and the defeat of the Romans at the Furcæ Caudinæ, the 431st year, till the war with the Hetrurians the 456th year of Rome.

S E C T. I.

The Samnites break the truce, and are entirely defeated. They make their submission, and are refused peace. Pontius, general of the Samnites, restores their courage, and makes them take arms. He lays an ambuscade for the Romans near Caudium: the latter give into it precipitately. Their army is shut up between two defiles. Pontius rejects the wise advice of Herennius his father. The Romans are reduced by necessity to accept the hard conditions imposed on them. Pontius makes them pass under the yoke, after which he dismisses them, keeping six hundred Knights as hostages for the observance of the convention made with the Consuls. Profound dejection of the soldiers, when they pass through Capua, and afterwards when they enter Rome. The Senate assembles. The convention is declared void, by the advice of Postumius, who had concluded and signed it himself as Consul. Himself, his colleague, and all the officers who had signed
the

the convention, are delivered up to Pontius, who refuses to receive them. The Samnites lose two battles. They are made to pass under the yoke. Luceria is taken, and the six hundred hostages confined in it restored to the Romans. Praise of Papirius Cursor.

C. SULPICIUS LONGUS, II.

Q. AULIUS CERRETANUS.

A. R. 431.

Ant. C.

321.

WE have seen that the Samnites, after having been defeated more than once by the Dictator Papirius Cursor, and reduced by their losses to demand peace of the Senate, had been able to obtain only a truce for a year, and That they did not keep the whole term. As soon as they were apprized, that Papirius, after having nominated C. Sulpicius and Q. Aulus Consuls, had abdicated the Dictatorship, they took up arms again, with no better success than before. They did not dare to face the Roman army, but kept themselves shut up in their cities. Their country, and that of the Apulians, whom they had brought into their party, were ravaged, during which they did not seem to have any thoughts of defending them.

Q. FABIUS.

L. FULVIUS.

A. R. 432.

Ant. C.

320.

The Samnites shewed more courage the year following, and attacked the Roman army first. The battle was one of the rudest and most obstinate. Victory was long doubtful : but at last it declared entirely for the Romans, and the Samnites were cut to pieces.

This defeat, which cost the Samnites their best troops, exceedingly afflicted the nation. They said loudly in all the * assemblies, it was no wonder that a war undertaken against the faith of treaties, and wherein they had the Gods rather than men for enemies, was attended with ill success. That it was ab-

* Minimè id quidem mirum esse, si impio bello & contra fœdus suscepto infestioribus meritò diis quam hominibus, nihil prospere agerent. LIV.

A. R. 432.
Ant. C.
320.

solutely necessary to appease the wrath of heaven : that the question only was to consider, whether that was to be done by the blood and death of a small number of criminals, or by the entire ruin of the People, who had no share in that prevarication. They went so far as to name the principal authors of the rupture, at the head of whom they placed one Brutulus Papius. He was a man of great birth, and still greater credit, who was known to have induced the Samnites more than any one else to break the truce with the Romans. The Prætors, obliged to bring the affair relating to him into deliberation, ordained by a decree, " That Brutulus Papius should be delivered up to the Romans ; that all the spoils and prisoners taken from the Romans, should be sent with him to Rome ; and that satisfaction should be given them for all the grievances of which they had sent heralds to Samnium to complain." The decree was executed, and in consequence the body of Brutulus, who had prevented the punishment by a voluntary death, was carried to Rome with all his fortune. The Roman People would receive only the prisoners, and such part of the spoils as were claimed by their owners. The deputies of the Samnites returned without having been able to obtain peace.

I do not know whether the honour of the last victory, of which I have just spoke, is to be ascribed to the Consuls, or to a Dictator, who was nominated this year. It is certain, that Aulus Cornelius was Dictator. But some authors relate, that he was only created to discharge a function in the Roman games in the room of the Prætor, who was very ill at that time ; which was to give the signal for the starting of the chariots.

A. R. 433.
Ant. C.
319.

T. VETURIUS CALVINUS II.

SP. POSTUMIUS ALBINUS II.

Liv. l. 9.
1, 3.

The return of the Deputies should, one would think, occasion a great consternation amongst the Samnites : but it produced a quite contrary effect.

Caius

Caius Pontius, a person of very great military abilities, was then their general. His father Herennius passed for the wisest and most judicious man of his age. Cicero tells us, this last had been acquainted with Architas of Tarentum, a famous philosopher and mathematician, who in a conversation, at which Plato * was present, proved, that the pleasures of the body were the source of the most fatal evils to mankind. What will be soon said of this Herennius, will shew, that his reputation for a man of wisdom and counsel was not without foundation.

Pontius, his son, soon after the return of the Deputies, called an assembly, to which he spoke in these terms. “ Do not believe, Samnites, that your deputation has been vain and ineffectual. It has expiated the crime, which we had committed in breaking the treaties, and appeased the anger of the Gods justly provoked. If it be evident, that it was the will of the Gods to force us by our losses to satisfy the Romans for the grievances they had suffered from us, it is no less clear, that it was not their will, that our satisfaction should be received with so much haughtiness and contempt. What is there more in our power to do either for appeasing the Gods, or for satisfying men, than what we have done? We have returned them all we had taken from them, and that appertained to us by the right of war. Not being able to deliver up the authors of the rupture alive, we have delivered up their bodies. We have carried their estates to Rome, that nothing which belonged to the guilty might remain amongst us. And could the Romans require any thing more of us? We are willing to take any people of the earth for arbiters and judges of the case between us. But if there be no protection in human laws for the weak against those that are strong; we will have recourse to the Gods, the

* Plato came to Tarentum in the Consulship of L. Furius and Ap. Claudius, the 406th year of Rome.

A.R. 433.

Ant. C.

319.

“ avengers of pride and insolence. You have no occasion, Samnites, to deliberate upon the choice you ought to make. The war is just, when it is necessary; and arms lawful, when they are our only resource. * Therefore, as in all human undertakings, the only question is to know, whether the Gods are for or against us, be assured that as in all preceding wars you have rather acted against the Gods than against men, in this which you are going to undertake, you will have those same Gods for your guides and protectors.”

This discourse filled the whole People with hope, courage, and ardour. Pontius, to make the best of those happy dispositions, made his troops take the field immediately. As he could not with reason flatter himself, that the Samnites would be too hard for the Roman army by open force, which had always miscarried hitherto, he resolved to employ stratagem against those formidable enemies. He marched with as little noise as possible to incamp near Caudium, a little village between Capua and Beneventum; and knowing that the Consuls were not far off with their army, he disguised ten of his soldiers like shepherds, gave them flocks to drive in different places, but always on the side towards the Roman camp, and ordered all of them to say in conformity with each other, when they should be taken and carried to the Consuls, as could not fail to happen, that the army of the Samnites was actually besieging Luceria in Apulia, and that the place, whose inhabitants were faithful allies of the Romans, was reduced to great extremities. This report, which Pontius had before expressly caused to be spread, had already reached the camp of the Consuls. The account of the prisoners left no room to doubt it, and especially as they all agreed in their story with each other. All that Pontius had foreseen,

* Proinde, cum rerum humanarum maximum momentum sit, quam propitiis rem, quam adversis agant diis; pro certo habere, priora bella adversus deos magis quam homines gessisse; hoc, quod adfit, ducibus ipsis diis gesturos. Liv.

happened.

happened. The Consuls gave into the snare, and believing it necessary to aid an allied city immediately, that was in great danger, they consulted no farther, except upon the route they were to take. There were two ways thither. The one safest, but farther: the other short, but dangerous, because it was necessary to pass two defiles, joined together by a circle of mountains, that left a plain of sufficiently large extent in the midst. The latter was however preferred, because the Romans thought they could never arrive soon enough at Luceria. They passed the first defile, but when they came to the second, they found the entrance barricadoed with a great quantity of trunks of trees and great stones, that formed a kind of rampart. Upon casting their eyes upwards they perceived the neighbouring hills entirely covered with the enemy. They then returned precipitately in order to regain the other opening: but found that also barred, and the Samnites posted as at the first. They halted of themselves, seized with an astonishment and terror, that seemed to have deprived them at once of all sense and motion. They looked upon each other, as if each was in hopes of finding that counsel and refuge in their companion, which they had not in themselves.

Afterwards when they saw that the Consuls tents were pitching, and that some soldiers were preparing instruments for breaking ground, and throwing up intrenchments, though they rightly perceived, that their utter incapacity of finding any resource, or means for defending themselves, was upon the point of exposing their works to the enemy's laughter; however, not to add by their own fault to all the misfortunes with which they were overwhelmed, each on his own side, without being exhorted or ordered by any one, applied himself to fortify the camp along the side of a brook, owning at the same time not without shame and grief, that all the pains they took were entirely vain; besides which the enemy from the tops of the mountains rallied them bitterly to that effect. The Consuls thought it to no purpose to assemble the council of

A. R. 433.
Ant. C.
319.

war. The principal officers came to them of themselves: and the foldiers in throngs at the same time demanded an aid from their generals, which, says Livy, they could hardly hope from the Gods. The council passed in uncertain confused opinions. Every one judged according to his genius and disposition. Some were for endeavouring to force the barricadoes, or to climb the mountains. Others represented the impossibility of succeeding either in the one or the other of those attempts. These reflections employed them the whole night, without their thinking either of nourishment or repose, and without being able to conclude any thing.

The Samnites, on their side, were in no less perplexity, but of a different kind, not knowing what choice they should make, in order to improve so happy an occasion as the present to the utmost. As they could not determine this point themselves, they resolved to send to consult Herennius Pontius, the general's father, upon it. He was very much advanced in years, and had renounced not only all military, but all other affairs and employments whatsoever. However, in a body infirm with age, he retained a lively wit and solid judgment. When therefore he was informed, that the Romans were shut up in the defiles of Caudium, he answered the person who came from his son to consult him, that his advice was, to let them all depart as soon as possible without the least hurt. This advice was rejected by every body, and persons were sent to him again to know, whether he had nothing better to say. To this second deputation he advised, that they should kill the Romans, and not let a single man of them escape.

Answers so opposite, which resembled the obscurity of oracles, occasioned great surprize. They appeared to several, and in particular to the son of Herennius (who does not seem very respectful on this occasion to his father) as marks of the weakness of his years. It was however resolved, that he should come to the camp. The good old man consented, and when he

was

was in the council, adhered to the two opinions he had given before, contenting himself with adding the reasons for them. He said, "That in following the first, which seemed the best to him, they gained the eternal amity of a powerful people by a signal benefaction. That if they preferred the second, they would make the Romans incapable of taking the field against them a great while, and would weaken them exceedingly by the loss of two armies, which it would be very difficult for them to retrieve. That there was no third choice to make." "How," said somebody, "is there no medium? Can we not give them their lives, but not till after having imposed such terms upon them, as the right of war admits to prescribe the conquered." "That is exactly the means," replied Herennius, "neither to make yourselves friends, nor to deliver yourselves from your enemies. Let the Romans live after having enraged them by shame and ignominy: they are a people, that know not how to lie still, even when defeated: The remembrance of the indignities, which their present necessity shall have reduced them to undergo, will remain eternally engraven in their hearts, and will not suffer them to give themselves a moment's rest, till they have avenged themselves in a distinguished manner, and made themselves amends with interest." These reasons were not approved, and Herennius was reconducted home. The sequel will shew how much in the right that old man was, for rejecting the mediums of a false and timorous policy, which usually, whilst it intends to accommodate every thing for the best, remedies nothing, and satisfies no body.

The Romans during this interval, had made several ineffectual attempts to break their prison, if we may use that expression. At length conquered by necessity, and beginning to be in want of every thing, they sent deputies to Pontius, to demand either an honourable peace, or a battle. Pontius replied haughtily, "That the war was at an end; and that since, though

Liv. 1. 9.
C. 4—6.

A. R. 433. though conquered and shut up on all sides as they
 Ant. C. were, they did not yet know how either to understand
 319. or confess their defeat, he would declare to them the
 conditions, upon which he should not be averse to
 treating with them: That they should all pass under
 the yoke without arms, each of them only with one
 * habit. That in other respects all things should be
 equal between the victors and the vanquished. That
 the Romans should oblige themselves to draw off their
 armies and colonies from the country of the Samnites;
 and that the two States should live according to their
 own laws, independent of each other."

When this answer was carried back to the Roman
 camp, it occasioned as heavy lamentation, and as
 lively grief, as if sentence of immediate death had
 been passed upon the army. A mournful silence long
 took place in the council, and the Consuls did not
 dare to open their lips, shocked on one side by the
 shame of accepting such a treaty, and on the other
 by the absolute necessity of submitting to it. At
 length L. Lentulus, the most considerable of the ge-
 neral officers, took upon him to speak, and gave his
 opinion in the following terms. " Consuls, I have
 " often heard my father say, that when the Senate,
 " besieged by the Gauls in the Capitol, deliberated
 " upon the choice they had to make, he was the only
 " one who was against ransoming the city with money,
 " because the enemy had not shut them up within
 " the fossés and intrenchments, and they could make
 " a sally, not indeed without great danger, but how-
 " ever without certain destruction. If the case were
 " the same now with us, and we could in any manner
 " whatsoever come to blows with the enemy, I should
 " be the first to propose my father's generosity to our
 " example. I know that it is glorious to die for
 " one's country, and am ready either to devote my-
 " self to death for the Roman People and our legi-

* This expression, which often recurs in history, signifies, that the
 soldiers were allowed to keep only their undermost garment, almost
 as if one should say amongst the moderns, only their shirts.

“ons, or to throw myself into the midst of the ene-
“my’s battalions. But I see here our whole country;
“I see all our troops: and unless they desire to pe-
“rish for themselves, what can they save by their
“deaths? The walls, says somebody, the houses of
“Rome, and that weak and timorous multitude,
“which inhabit them? On the contrary, to cut off
“this army is delivering up the rest to the enemy,
“and not saving it. All the resources, all the force
“of the Roman people are here. In saving these
“troops, we save our country: in exposing them to
“certain death, we abandon and betray it. But, says
“somebody again, it is great shame, great ignominy,
“to surrender in this manner without giving battle.
“I grant it is so. But our country ought to be dear
“enough to be preferred, not only to the preservation
“of our lives, but even to that of our honour, if
“there be occasion to make it that sacrifice. Let us
“not therefore refuse ourselves to this disgrace, how
“great soever it may be, and let us submit to neces-
“sity, over which not the Gods themselves have
“power. Go, Consuls, go to the enemy; and since
“it must be so, deliver up our arms, to ransom at
“that price our country, which our ancestors ransom-
“ed at the price of gold.”

It was absolutely necessary to take this counsel. The Consuls went to the camp of the Samnites to conclude the negociation. Pontius insisted upon a treaty: but it was represented to him, that in order to that, the authority of the Roman People and Senate was necessary: and he was so imprudent and void of caution, as to content himself with the bare promise of the Consuls and principal officers of the army, to observe, and cause to be observed, the articles they had agreed upon. The only precaution he took, was to have six hundred hostages, of the principal persons of the Roman youth, put into his hands, who were to answer with their heads for the observance of the conditions just stipulated. There was no formal treaty

A.R. 433.
Ant. C.
319.

treaty at Caudium: which the sequel makes an important remark.

The Consuls returned to the camp, where their arrival renewed the universal grief and despair. The soldiers could scarce refrain from laying violent hands upon unworthy generals, whose rashness had brought them into that unfortunate place, and whose abject fear was upon the point of making them quit it in a more shameful manner than they had come thither: who had neither thought of taking guides, nor viewing the country, but marching headlong, like brute beasts, had precipitated themselves and their armies into the snare. They beheld each other with mournful looks, whilst their thoughts were employed upon the arms they were going to deliver up, their hands upon the point of being disarmed, and their bodies at the discretion of the enemy. They formed to themselves the idea of the shameful yoke under which they were to pass, the insults and contemptuous looks of the victors, and the lines of armed enemies through which they were to pass: afterwards their deplorable march through the allied cities, who would be witnesses of their infamy: and lastly, their sad return into their country, whither themselves and their ancestors had so often returned in triumph. They represented to themselves, that no misfortune ever equalled theirs: that they were the only troops who were ever conquered without wounds, without battle, without resistance: that they had not so much as been allowed to draw their swords, and to come to blows with the enemy: that it was to no purpose they had arms, strength, valour, of which they had not room to make the least use.

Whilst they were making these sad reflections, arrived the fatal hour, in which they were to experience their misfortunes in all their extent, and to be convinced, that the reality still exceeded all they had imagined of them. At first they were made to quit their intrenchments without arms, and each with only
a sin-

VETURIUS, POSTUMIUS, Consuls.

397

A. R. 433.
Ant. C.
319.

a single habit. The six hundred hostages were delivered to the Samnites, and conducted to prison. The Lictors were afterwards ordered to quit the Consuls, who at the same time were stripped of the ornaments of their dignity. At that sight, the sentiments of the Roman soldiers were so much changed in respect to their generals, that, instead of having them in execration as a little before, and almost desiring that they might be delivered up to the enemy or torn in pieces, they were now moved with the most tender compassion for them, and forgetting their own evils, turned away their eyes, to avoid seeing the mournful sight of the Consular dignity so dishonoured in their persons. The Consuls almost half naked, passed first under the yoke: then the principal officers, each according to his rank in the army: and lastly, the legions one after another. The Samnites were under arms, drawn up in two lines on each side, and loading the unhappy Romans with reproaches and insults. They often put even their naked swords to their faces, and wounded, and killed some of them, at whom they took offence, on observing in them too much loftiness and resentment of the ignominy imposed on them.

They quitted the defile, after having passed under the yoke, and what was still more mortifying to them, the having done so in the sight of the enemy. At that moment, though they imagined themselves like men, who from darkness and dungeons begin to see the light of heaven, that very light however, which discovered the ignominious march of their army, appeared more mournful than the most cruel death. They might have reached Capua before night, which was an allied city. But suspecting the fidelity of the Campanians, and in effect of shame, they chose rather to lie down upon the earth on the way near the city, in absolute want of all things.

When the Campanians were informed of this, a just sense of compassion for their allies and benefactors prevailed over their natural pride. They immediately sent Lictors and fasces, with the other marks of their

dig.

A.R. 433.
Ant. C.
319.

dignity to the Consuls; and to the legions, arms, horses, habits, and provisions. When the Romans came to the city, the Senate and People of Capua came out to meet them, and discharged all the duties to them of hospitality and alliance. But neither their careffes, all the proofs of amity which they gave them, nor the terms of consolation which they used, could induce them either to answer, raise their eyes from the ground, or so much as look upon those who endeavoured to mitigate their anguish. Sorrow, and shame still more, made them shun all company and conversation.

The next day they set out for Rome, and the Campanians sent some youth of quality to attend them as far as the confines of their territory. When those young persons returned, they were brought to the Senate, and upon being asked in what condition they had left the Romans, they answered, "That they seemed much more sad and dejected than before: that they marched in silence and almost like mutes: that the Roman spirit was no longer to be seen in them; and that they seemed to have lost their courage with their arms: that they returned salutes to nobody, and made no answer to the civilities shewn them: that struck with terror, not one of them dared to open his lips, as if they still carried upon their heads the yoke under which they had passed. That the Samnites had not only obtained a glorious victory, but had conquered the Romans for ever, as they had taken and subjected, not their city, as the Gauls did formerly, but their valour and haughtiness, a much greater and more arduous conquest."

Upon this report, the Senators of Capua, like good and faithful allies, deplored the fate of the Romans, whom they considered as irretrievably ruined; when Ofilius Calavius, one of the principal persons of their body, a person illustrious for his birth and great actions, and venerable for his age, said, he was of a very different opinion, and spoke as follows. "That the obstinate silence, downcast eyes, obstinate refusal to receive

receive any consolation, and lively sense of shame, which made them desire to hide themselves from the day, and shun the light, were only so many marks of the violent rage they retained at heart, and which was preparing to vent itself in the most dreadful vengeance. That, either he had no knowledge of the Romans, or that gloomy silence would undoubtedly soon cost the Samnites, the most lamentable cries and groans, and that the remembrance of the Furcæ Caudinæ would be more mournful to the victors than the vanquished. That wherever they met, the two States would bring with them to battle their whole force and courage: but that the Samnites would not find the defiles of Caudium every where."

During this interval the report of what had past at Caudium, had reached Rome. They had been apprized at first of the extreme danger of the army unhappily shut in between two defiles, and had instantly began to levy troops. Soon after arrived the news of the shameful peace that had been concluded, the consternation was exceedingly great. A stop was put to the levies: and people put on all the marks of public mourning, as was the custom in great calamities. The shops were shut, and the administration of justice suspended. To say all in a word, the city was almost in greater grief than the army itself. It was not only incensed against the generals, and the authors and ratifiers of that ignominious peace, but even against the innocent soldiers; so that it was almost ready to forbid them entering the city. But the condition in which they arrived, the sight of that deplorable army, capable of touching the most enraged with compassion, stifled all resentment. They entered in the evening, not like people, who having contrary to their hopes escaped great danger, revisit their country, but with all the dejection and consternation of prisoners of war, carried by their conquerors into an enemy's city. They all immediately went to hide themselves in their own houses; so that the next, and the following days, not one of them appeared in the Forum, or even any where

A. R. 433.
Ant. C.
319.

where in public. The Consuls themselves exercised their office no farther, than only, by the order of the Senate, to declare a Dictator, in order to proceed to the election of new Consuls. After the creation of a Dictator, and an interregnum, L. Papirius Cursor and Q. Publilius Philo were given them for successors. They were unanimously elected as indisputably the two greatest generals Rome had at that time.

A. R. 434.
Ant. C.
318.

L. PAPIRIUS CURSOR.

Q. PUBLILIUS PHILO.

Liv. l. 9.
c. 8—11.

They entered upon office the same day they were created, and began the exercise of it by bringing the important affair of the peace of Caudium upon the carpet. Postumius, Consul of the preceding year, being to give his opinion first, did so in the most generous manner possible. He shewed, "that the Senate and people of Rome were not obliged to observe articles concluded without their consent with the Samnites. That it was an incontestable principle, that neither the Consuls, nor any other magistrate, could conclude a treaty with the enemy, without being empowered to do so by the Senate and People. That otherwise it would follow, if they had promised the Roman people should abandon Rome, that they should no longer have either laws, magistrates, or Senate; and that from thenceforth they should be governed by Kings; the commonwealth would be bound by such promises. For, added he, the rigor and indignity of the conditions, to which one submits, does not lessen the obligation to perform them. That it was not necessary to ask him, wherefore then he had consented to that treaty. * That nothing had passed at Caudium according to the usual rules of human prudence, and that it was evident the Gods had blinded the generals of both people. That, to speak only of the Samnites, they might, instead of consulting old He-

* Nihil ad Caudium humanis consiliis gestum est. Dii immortales & vestris & hostium imperatoribus mentem ademerunt. Liv.

rennius, have sent deputies to Rome, to negotiate a peace with the Senate and People; that it was a journey of three days: but that the Gods had deprived both sides in this affair of the use of sense and reason. He concluded that this pretended treaty held only those, who had made themselves the guarantees of it, at the head of whom he was. That it was necessary therefore to deliver them all up to the Samnites, in consequence of which the Roman people might with strict justice, resume their arms." And last of all, he addressed a prayer full of the most heroick sentiments to the Gods. "Immortal Gods," said he, "if it was your will, that Sp. Postumius and F. Veturius should not make war with the Samnites successfully during their Consulship, at least be satisfied with having seen us contract an infamous engagement, and in consequence pass shamefully under the yoke; with having seen us actually delivered up to the enemy like criminals, naked and in chains, and receiving their whole vengeance on our heads. Grant that the new Consuls and Roman Legions may fight against the Samnites with the same success, as the Consuls our predecessors have always had in all other wars."

The whole Senate admired Postumius's discourse, and followed his advice in every particular. Two magistrates were however of a contrary opinion. They were of the number of those who had signed the peace at Caudium; and after their return to Rome, had been created Tribunes of the People. In that quality they were for opposing the decree of the Senate, pretending, that to follow Postumius's advice, was repugnant to justice and the faith of treaties; and after all, as to what related to themselves in particular, as their persons were sacred, they would not be delivered up to the enemy. "Let us, however, us the profane," resumed Postumius, "be delivered up. Afterwards, Fathers, you may deliver up these venerable men, these sacred personages, when the term of their magistracy is expired. But,

Vol. II. D d " if

A. R. 434. " if you will take my opinion, before they are put
 Ant. C. " into the hands of the Samnites, you will do well
 318. " to have them scourged well with rods here, by way
 " of making them pay interest for the delay." He
 then refuted at large the insinuations of those Tri-
 bunes, who at length complied with his advice, and
 submitted to the will of the Senate.

The decree, which was passed with unanimous con-
 sent, diffused a kind of joy and serenity throughout
 the city. Nothing was talked of but Postumius:
 every body gave him the highest praises, and com-
 pared his generosity to that of Decius, who had de-
 voted himself for his country. They said, " that by
 his salutary counsel, and greatness of soul, he had dis-
 engaged Rome from the obligation of a shameful
 peace; and that in giving himself up to torments and
 the fury of the enemy, he had expiated and ap-
 peased that of the Gods against the Romans." They
 breathed nothing now but war and arms. Every one
 wished the day for coming to blows with the Samnites
 might soon arrive. The levies were made with incre-
 dible expedition in a city animated with hatred against
 the Samnites, and an ardent desire of revenge. They
 were new-raised legions (for at the end of every cam-
 paign in those days all the troops were disbanded)
 but they consisted of the same soldiers, who had served
 the year before. The army set out immediately and
 marched for Caudium.

Before they arrived there, all who had signed the
 treaty, were delivered up to the General of the Sam-
 nites by an herald; *Fecialis*: (that is, a priest of the
 college that presided in the ceremonies used in decla-
 rations of war, and treaties of peace.) On this oc-
 casion, Postumius did an action, which, in a right
 acceptation, ought to pass for a grimace unworthy of
 his gravity, and which shews, how much even the
 purest ideas of the pagan world concerning religion
 were blended with superstition and absurdity. He
 went up to the Fecialis, and gave him as hard a blow
 as he could with his knee (for his hands were bound)
 adding,

adding, that he (Postumius) was now a Samnite; that the herald was an ambassador; that therefore the law of nations had been violated by the blow, which the Fecialis had just received; and that the Romans would have the more legitimate cause for making war in effect of it. What puerility was this!

Pontius refused to receive those delivered up to him. He bitterly reproached the Romans with their impious contempt of the sanctity of oaths and treaties, whilst they * boasted themselves the religious observers of them, and were at bottom only attentive to cover their breach of faith with the veil and under the appearance of equity. "How! said he, in consequence of our mutual convention you have all your citizens, whom I could have destroyed, and have restored to you: And am I not to have the peace stipulated with you, which was to have been the fruit of it? If the treaty of Caudium displeases you, place things in the same state they were before it was concluded. To act as the Romans now do, is to insult the Gods, and to reckon their anger as nothing. But I mistake. You may boldly make war, and be assured of their protection, since Postumius has given your ambassador a blow with his knee. The Gods no doubt will believe Postumius a Samnite and not a Roman; that a Samnite has violated the law of nations; and that in consequence you may with justice make war against us. † Is it possible that old men, consular persons, should not be ashamed to make a jest of religion by such little tricks, and to employ, in order to find a pretence for breaking their faith, acts and evasions scarce worthy of children?" Pontius afterwards ordered the chains and bands to be taken off all the Romans delivered up to him, and that they should

* Nunquam ne causa defiet, cur victi pacto non stetis?—Et semper aliquam fraudi juris speciem imponitis. Liv.

† Hæc ludibria religionum non pudere in lucem proferre, & vix pueris dignas ambages senes ac consulares fallendæ fidei exquirere. Liv.

A. R. 434. be left at entire liberty. * They returned, says Livy,
Ant. C. having perhaps discharged the publick faith, but
318. certainly clear of the engagements themselves had
entered into.

Livy, however jealous he is of the glory and reputation of the Romans, dares not affirm, that they were in the right not to execute the treaty of Caudium; and he seems sensible that there is something in their conduct not entirely conformable to that strict justice and faith, upon which they valued themselves. It must however be owned, the reasons that Historian puts into the mouth of Postumius, are very solid and convincing; and that a treaty, concluded without the authority of the Senate and People, was void and of no force in itself. We have in our History of France, an example much like the case before us. The Swiss having besieged Dijon about the end of the reign of Lewis XII. Mons. de la Tremouille, who commanded in the place, defended it bravely during six weeks. But finding that the place could not hold out, and that the victors after the taking of Dijon would have nothing to prevent them from marching to Paris, he entered into a negociation with them upon his own private authority, and granted them all they demanded. The Swiss retired in effect. But the King did not think himself obliged to observe a treaty, which had been made without his order: and nobody accused the good King Lewis XII. of breach of faith on that account.

We must observe that † the convention made at Caudium was not a treaty, but only the promise of a treaty, in case the Roman people should come into it. And it was for this reason, that the Samnites took so many precautions, in causing it to be signed by the Consuls and all the great officers of the army, and keeping six hundred hostages. But could they imagine, that the Roman people would ever ratify

* Et illi quidem, forsitan & publica, sua certè liberata fide, ab Caudio in castra Romana inviolati redierunt. Liv.

† Non fœdere pax Caudina, sed per sponsionem facta est. Liv.

such a convention? It was observed with reason, that there was nothing human in what passed at Caudium, and that the divinity blinded the generals on both sides, and deprived them of all prudence, to punish the faults committed also on both sides. The Samnites had broke the truce: * they acknowledged themselves, that their defeat was the chastisement of their perfidy. They make entire satisfaction for it to the Romans, which the latter reject with pride and haughtiness. The Romans are punished in their turn by all that happens at Caudium. So compleat an advantage makes the Samnites proud, and at the same time blinds them. They reject the counsels of the wisest man amongst them with contempt. They never once think of sending deputies to Rome, to have the treaty ratified there, and by these faults lose the advantage of their victory. If we examine the events of most wars, we discern the same conduct of Providence in them. It is a reproach to us, that the Pagans are more enlightened and religious than we on this article. Their great principle was, that, in wars, and generally in all the actions of life, the important point is to place the divinity on our side, in the justice of our cause. *Rerum humanarum maximum momentum est, quam propitiis rem, quam adversis agant diis.*

When the Samnites, instead of a peace which had rendered them so haughty, saw the war ready to break out more terribly than ever, they represented to themselves all the evils they were going to sustain, and perceived too late, the irretrievable fault they had committed, in rejecting the wise counsels of Herennius. These reflections were not of a nature to augment their courage. They reckoned themselves conquered, as soon as attacked; whereas the Romans assured themselves of victory, as soon as they could come to blows with the enemy.

* Minime id quidem mirum, si impio bello, & contra foedus suscepto, infestioribus merito diis quam hominibus, nihil prosperè agent. Liv.

A. R. 434.
Ant. C.
318.

In the interval since the convention of Caudium, Luceria had fallen into the hands of the Samnites, who had shut up the six hundred Roman knights in it, given them as hostages. They soon after took Fregellæ a Roman colony, and it was believed, that the people of Satricum had assisted them in that expedition.

The Roman Consuls having agreed between themselves upon their provinces, Papirius made his troops advance into Apulia towards Luceria, and Publilius led his into the country of the Samnites, against those who had been employed at Caudium. This disposition of the Roman troops perplexed the Samnites. They were afraid to march towards Luceria, lest the enemy should attack them in the rear; and to remain in Samnium, lest Luceria should be taken in the mean while. They therefore resolved to offer Publilius battle, and accordingly drew up to attack him.

The Consul, on his side, made the troops advance. He would have harangued them before the battle, in order to prepare them for it; but they would not give him time: the remembrance of their past disgrace being the strongest and most cogent of exhortations to them. The soldiers accordingly marched on to battle, pushing their standard-bearers forward; and not to lose time, threw down their javelins, as if by consent, and ran sword in hand upon the enemy. The care and orders of the general to post and make them keep their ranks, were entirely ineffectual: the ardor of the soldiers did every thing. The Samnites in consequence could not sustain so rude a shock. They were not only put into disorder, but dared not even retire to their camp, through fear of retarding their flight, and they dispersed on all sides into Apulia. Soon after however re-uniting in a body, they arrived at Luceria. As to the Romans, they entered the camp with the same fury, as they had broke the enemy's battalions, where they made a greater slaughter than in the battle itself. Their rage made them spoil the greatest part of their plunder.

The

The other army, under the command of Papirius, was arrived at the city of Arpi, having found every thing favourable and quiet on their way, less through consideration for the Romans, than hatred for the Samnites, who oppressed the whole country. For the Samnites divided into different villages, inhabited the mountains, from whence they came down and ravaged all the flat country: and if that country, situate between Rome and Arpi, had continued faithful to the Samnites, one of two things would have happened; either the Romans could not have penetrated into Apulia; or if they had forced their way thither, they could not have avoided perishing, because their provisions would have been cut off, and all their convoys intercepted. And however, notwithstanding all the facility of the inhabitants of the country, when they were before Luceria, besiegers as they were, they almost suffered as much from famine, as the besieged. Provisions came to the Romans from Arpi, but in very small quantities. As to the besieged, before the arrival of the Consul Publius, they had received provisions and troops. But after the two Roman armies joined each other, they were much more distressed; because Publius, leaving the care of the siege to his colleague, kept the country, and prevented any provisions from entering the place; so that it could not hold out long against the famine. The Samnites encamped near Luceria, having drawn all their troops together, resolved to come to an action with Papirius.

Whilst both sides were preparing for a battle arrived Deputies from Tarentum, signifying to the Samnites and Romans, that they should desist from all acts of hostility, and protesting, that they would declare against that of the two people who should refuse to comply. Papirius after having heard their proposal, replied, as if it had made some impression upon him, that he would consult his colleague about it. Accordingly he made him advance with his troops, and having made all the necessary dispositions for the bat-

A. R. 434.
Ant. C.
318.

tle, whilst they affected to be in deliberation with each other upon a matter wherein they had entirely taken their resolution, he gave the signal. The Deputies in a great surprize, repaired to them, demanding their answer. "We have that of the Gods," says Papi-rius: "the auspices are favourable, and our sacrifices "accepted: it is under their guidance and according "to the order of them, that we are now marching to "give battle." He then made his troops move; justly reproaching the senseless pride of a State, which though it could neither give order to its own affairs, nor pacify its domestick troubles, took upon it to give others the law with an air of command and superiority. The Samnites, who did not expect to fight, declared with a loud voice, that they accepted the proposal of the Tarentines, and would not come to a battle. The Consuls in the mean time advanced continually, and dividing their troops attacked the camp on all sides. Some filled the fosses, others pulled up the palisades. Animated with a desire of vengeance, and of washing out the stain they had received in the blood of the Samnites, they entered the camp with the utmost fury, and put all they met to the sword. Nothing would have escaped their rage, if the Consuls by repeated orders mingled with menaces, had not forced them to quit the enemy's camp. As they did not suffer themselves to be prevented from satiating their revenge without great reluctance and murmuring, the Consuls thought it necessary to give them an account of their conduct. They represented to them: "That they did not give place to themselves in hatred for the Samnites, and that they would not have set bounds to the just fury of the soldiers, if the remembrance of the six hundred knights detained as hostages in Luceria, had not obliged them to it, through fear lest the Samnites, if reduced to despair, should put them all to death, before they perished themselves." The soldiers approved these reasons. Their complaints were changed into praises and thanks for having put a stop to their rage. They confessed that

that there was nothing they ought not to suffer rather than abandon so estimable a part of the Roman youth to destruction.

A. R. 434.
Ant. C.
318.

The Consuls then separated. Publius over-ran Apulia, and subjected several States, some by force, and others by receiving them into alliance of the Roman People. Papirius remained before Luceria, and cutting off all convoys from Samnium, soon reduced it to capitulate. The garrison sent Deputies to the Consul, to demand that he would raise the siege after the six hundred Roman knights, who were the cause of the war, should be delivered up to him. He agreed to it upon the following conditions: That the arms, baggage, carriage-beasts, and the whole multitude incapable of bearing arms, should be left in the city; that the soldiers should quit it each only in a single habit, and that they should all pass under the yoke, a treatment which they had been the first to make the Romans suffer. All these conditions were accepted. Seven thousand soldiers passed under the yoke. The plunder was very considerable. All the ensigns and arms, that had been lost at Caudium were retaken; and what occasioned the most sensible joy, the six hundred knights kept at Luceria were recovered. In all the history of the Roman People, there scarce occurs a more glorious victory, or one more remarkable for a sudden reverse of fortune, especially if it be true, as some Historians have observed, that Pontius, the general of the Samnites, passed also under the yoke. The Consuls returned to Rome in triumph, and were received there with great joy.

There is, however, some uncertainty in respect to a year so glorious for the Romans. It is doubted, whether it was by the Consuls, or by a Dictator, expressly nominated for this war, that it was so happily terminated. It is to be believed, that Livy judged the opinion he has followed in his account of it the most probable.

A. R. 435.

Ant. C.

317.

Liv. l. 9.

c. 16.

L. PAPIRIUS CURSOR, III.

Q. AULIUS CERETANUS, II.

The Consuls divided their troops. The one marched into Apulia, where he conquered the Ferentani, and took their city. The other marched against Satricum. This was a Roman colony, which, after the affair of Caudium, had received a garrison from the Samnites. It was retaken by the Romans, and treated with severity. The most criminal lost their lives, and all the inhabitants were disarmed.

According to the Authors, who ascribe the taking of Luceria and the defeat of the Samnites that passed under the yoke, to Papirius Cursor, it was not till this year, and after the last-mentioned expeditions, that he obtained the honour of a triumph. He was a general of great ability in war, and distinguished not only by courage and intrepidity, but by extraordinary strength of body. He was swifter in running than any of his time, and always carried the prize in that kind of exercise against all who entered the lists with him. This is what occasioned the surname of * Cursor, Runner, to be given, or rather confirmed to him. He ate much, and drank in proportion, which was attributed to his robust constitution and the great exercise he used. The service was rude under him, because he was accustomed and enured to labour himself. He was also severe in respect to discipline. A story pleasant enough is told of him: A Prætor of Præneste who served amongst the allies, having received orders in a battle, to make his troops advance to the front ranks, had obeyed slowly, and with little ardour, through fear of the danger. Papirius walking before that officer's tent, ordered him to come to him. As soon as he saw him appear, he bade the Lictor get ready his ax. The Prænestine at that word, was seized all over with a tremor. Papirius, who intend-

* Livy mentions another Papirius, who was probably the grandfather of this, and was called also Cursor. Lib. 6. c. 5. & l. 9. c. 34.

ed only to frighten him, said to the Lictor: "Here, ^{A. R. 435.} " cut away this root, that is in our way;" and only ^{Ant. C.} fined him. The Prætor withdrew, well satisfied with ^{317.} coming off for a small sum of money. Livy concludes the character and praise of Papirius with saying, that in an age, fruitful of great men, if ever any was so, he was the firmest support of the Roman power and greatness, and that he would have been capable of opposing Alexander the Great, if that Prince, after the conquest of Asia, had turned his arms against Europe.

S E C T. II.

Digression, wherein Livy examines what would probably have happened, if Alexander the Great had turned his arms against the Romans, after the conquest of Asia. Different wars against the Samnites. A Magistrate sent from Rome to govern Capua. Institution of two new Tribes. The Dictator Menius reproached with being guilty of the same crime, for which he actually prosecuted others, abdicates the Dictatorship, and justifies himself before the judges. Famous Censorship of Appius and Plautius. Appian way: Aqueduct. Family of the Potitii extinct. Tribunes of the legions elected by the People, as well as the Duumviri for the fleet. Players on the flute reinstated in their rights. Samnites defeated. War against the Heturians: considerable victories gained by the Romans. They grant the Heturians a truce for thirty years. Bloody battle between the Romans and the Samnites, which obliges the former to appoint a Dictator. The Consul Fabius nominates Papirius Cursor. The latter marches against the enemy. New victory gained by Fabius over the Heturians. Extraordinary preparations of the Samnites. The Umbrians threaten to march and attack Rome. They are defeated by Fabius. The Æqui are overcome and almost entirely destroyed. C. Flavius the Register, son of a freed-man, is made Curule Ædile. He makes publick the Fasti or Juridical-days, of which only the Pontiffs had the keeping.

A. R. 435.
Ant. C.
317.

ing. He dedicates a temple notwithstanding their opposition. The Nobility endeavour to mortify him; his revenge. Fabius includes all the lower class of the People in four Tribes only. Solemn review of the Knights.

Liv. 1. 9.
c. 17—19.

LIVY, upon the occasion of what he had just said of Papirius Cursor and Alexander, suspends the thread of his history for a while, but first makes his excuse to his Reader, and asks his permission. * “It may be observed, says he, that from the beginning of this work I have proposed nothing less to myself, than to interrupt the series of my narrative, and the order of my facts, for the sake of throwing variety into my history by digressions, to amuse my reader agreeably, and give myself some relaxation. But having had occasion to mention that great King and Captain, I am in a manner invited naturally enough to give the reflections which have often entered into my thoughts in respect to him a place here, and to enquire what event the Romans might have expected, if Alexander had turned his arms against them.”

I do not doubt but my readers willingly grant Livy the permission he demands of imparting to them his thoughts upon so affecting a subject: I only fear they may have room to regret, that so excellent an historian has not a better interpreter to render his thoughts with more justness and elegance. I shall retrench what does not seem absolutely necessary from this digression.

Comparison between Alexander and the Romans.

What determines the event of wars, says Livy, is the genius and ability of the generals, the number and

* Nihil minus quæsitum à principio hujus operis videri potest, quam ut plus justo ab rerum ordine declinarem, & legentibus velut divitula amœna, & requiem animo meo quærerem. Tamen tanti regis ac ducis mentio, quibus sæpe tacitis cogitationibus volutavi animum, eas evocat in medium: ut quærere libeat, quinam eventus Romanis rebus, si cum Alexandro foret bellatum, futurus fuerit.

bravery of the troops, and Fortune †, which can dispose of all things in human affairs, and principally in the success of arms. In examining the question proposed under these three points of view, one finds no difficulty to conclude, that the Romans would have been no less invincible to Alexander the Great, than they were to all the other Kings and States of the Universe.

I. *First*, To begin by comparing generals, Alexander cannot be denied to have been a great warrior. But what very much contributed to augment his glory, was his being alone, and having no colleague to share in his successes; and also, his dying in the flower of his youth, and in the midst of his greatest victories, before he had experienced any adversity. Not to mention abundance of other Kings and generals, who have been great examples of the variety and uncertainty of human events, was it not too long life, that exposed *Cyrus, so much extolled by the Greeks, and the great Pompey of our times, to the sad vicissitudes of fortune?

Livy opposes to Alexander the Roman generals, who lived in the time when the war between him and the Commonwealth might have happened: Valerius Corvus, Manlius Torquatus, Papirius Cursor, Fabius Maximus, and many others. Each of those whom I have now mentioned were Alexander's equals both in valour and genius. And as to the knowledge of the art military, it had been transmitted successively from the Kings down to the times of which I am speaking, always upon the same principles; so that the knowledge of the rules, improved by constant practice, had formed them into a science, in which the persons who were then at the head of the armies, were perfectly versed.

† The Pagans admitted a Providence, which disposes all human events: but they often gave it the name of Fortune.

* Livy here follows the opinion of those, who imagined that Cyrus perished miserably in his expedition against Tomyris Queen of the Scythians.

A. R. 435.
Ant. C.
317.

Alexander had acquired abundance of reputation by his indefatigable patience in military labours, by his boldness and intrepidity, and the prodigies of his personal valour, which contributed so much to his glory. Can we believe that the Roman generals gave place to him in these points? A Manlius Torquatus, a Valerius Corvus, both brave soldiers, before they commanded the armies? The Decii, father and son, who threw themselves into the midst of the enemy, after having devoted themselves to death: a Papirius Cursor, so renowned for the greatness of his courage, supported by an incredible strength of body. Can one imagine, that Alexander would have had more ability than all these illustrious Romans, in choosing his camps advantageously, in facilitating and securing his convoys of provisions, in avoiding ambuscades, in seizing the favourable moment for giving battle, in drawing up an army, and in disposing the reserved troops for the support of it? The Romans excelled in all those parts of military knowledge.

But as to what regards the maturity of counsels, prudence and ability in forming a plan, and directing all the operations of a campaign according to that plan, upon which properly the whole success of enterprises depends; would a young prince like Alexander, have surpassed the august body of the Roman Senate, composed of a great number of venerable old men, versed in the trade of war by a long and happy experience, attended with frequent victories: a body of which one cannot form a juster idea, than that which Cineas gave Pyrrhus of it, when he told him, that the Roman Senate appeared to him like an assembly of kings?

When Alexander had found such generals against him, he would soon † have perceived, that he had no longer a Darius to deal with, a generous prince in-

† Non cum Dario rem esse dixisset, quem mulierum ac spadonum agmen trahentem, inter purpuram atque aurum, oneratum fortunæ suæ apparatus, prædam veriùs quam hostem, nihil aliud quam bene ausus vana contemnere, incruentus devicit.

deed, but enervated by voluptuousness, who drew along with him to the war great troops of women and eunuchs, all glittering with gold and purple, and unweildy from the train and trappings of his luxury and grandeur; in a word, rather a certain prey, than a formidable enemy, whose defeat cost Alexander no more than to know how to despise a vain vastness of preparations void of real force. He would have found a great difference between the Indias, which he passed with his troops more like frantic Bacchanalians than an army, himself setting the example of the debauch, and Italy, where the woods and defiles of Apulia, and the mountains of the Lucanians, would have presented him with the still recent footsteps of the blood of his uncle Alexander King of Epirus, who perished there much about this time.

* And, adds Livy, I speak of Alexander whilst in his senses, sober and virtuous, before prosperity had corrupted him, a poison none ever knew less how to secure himself against. If we consider him in his new grandeur, and the new character he assumed after his victories, we may say, that he would have come to Italy more like Darius than Alexander; and that he would have led thither an army, which had then forgot Macedonia, and degenerated from its antient virtue, in assuming the manners of the Persians. I am ashamed to repeat of so great a King the ridiculous pride, that made him renounce the simplicity of habit of his predecessors, to adorn himself in the pompous robes of the Kings of Persia; the abject complaisance which he expected from his courtiers, by whom he was for being adored; indignities which would have been insupportable to the Macedonians, even had they been conquered, so far were they from being able to endure them being victors; his cruelty in punishing;

* Et loquimur de Alexandro nondummerso secundis rebus, quarum nemo intolerantior fuit. Qui, si ex habitu novæ fortunæ novique, ut ita dicam, ingenii quod sibi victor induerat, spectetur; Dario magis similis quam Alexandro in Italiam venisset, & exercitum Macedoniæ oblitum, degenerantemque jam in Persarum mores, adduxisset,

A. R. 435.
Ant. C.
317.

the blood of his friends, shed in the midst of banquets; and the senseless vanity of ascribing a false origin to himself. If the love of wine augmented every day in him; if his transports of rage became still more sudden and violent; (what I say here is certain from the concurrent testimony of all authors) can we suppose that all these vices would not have impaired in some measure his military virtues?

What ought to make the successes of the Romans appear more worthy of admiration than those of Alexander, or of any other King whatsoever, are the innumerable obstacles they had to surmount for succeeding in their enterprizes. How often were they retarded by the frequent change of commanders, which became necessary, even by the constitution of the state from the establishment of the Commonwealth? Some exercised the Dictatorship only during ten or twenty days: none retained the Consulship longer than a year. They found obstacles in the Tribunes of the People, who often prevented the levying of the armies; in the ignorance, temerity, or jealousy, of a colleague; in the affairs of the city, which sometimes obliged them to set out too late, or to return sooner than was consistent with the good of the service. Alexander was far from being in the same case. * Kings are not only exempt from all obstacles of this kind, but absolute masters of times and measures: and far from being obliged to conform to circumstances, their will alone suffices for putting every thing in motion. In this respect, their glory is less than that of Rome's generals, victorious notwithstanding all obstacles over enemies, who had such great advantages over them.

II. As to what regards success, which Livy calls Fortune, it would be wrong to give the Romans the superiority to Alexander, as the Roman People, tho' they came off victorious from all the wars they made, were however defeated in several battles, whereas

* At hercule, reges, non liberi solum impedimentis omnibus, sed domini rerum temporumque trahunt consiliis cuncta, non sequuntur.

Alexander

Alexander never fought one without gaining the victory. It would be unjust to compare a space of almost eight hundred years, which had elapsed from the foundation of Rome to the time when Livy wrote, with one of twelve or thirteen years, in which all Alexander's conquests were included. Compare man with man, general with general; and you will find the annals filled with the names of Roman generals, for whom Fortune as constantly declared, as for the King of Macedonia, and whose success, as well as courage, never abandoned them on any day of their lives.

If we examine the various hazards of war, Rome had on that side an infinite advantage over the Macedonians, who, in the person of Alexander, had only one chief, to whose life their whole fortune was attached; and a chief too, who not only ran the same risks as the Roman generals, but who exposed himself to them out of mere wantonness, and made it his glory to brave them through an intrepid valour, which often degenerated into rashness. The fortune of Rome did not depend in that manner upon her generals. When any of them were taken off by death, another immediately took his place, and the fall of a single man did not induce the ruin of the state.

III. It remains to compare troops with troops, either for their number, their species and quality, or the multitude of auxiliaries.

Only the Greeks and Macedonians in Alexander's army are to be reckoned soldiers. For as to the Persians, Indians, and other Asiatic nations, had he led them into Italy, they would rather have been an incumbrance to him, than an augmentation of his forces. Now Alexander's infantry never exceeded thirty thousand men. Add to these four thousand horse, most of them Thessalians, and we have the whole strength of his army.

Rome then had, according to the evidence of the Census, two hundred and fifty thousand citizens, all capable of bearing arms; and she often took the field with ten Legions at once. If to these we add the suc-

A. R. 435.
Ant. C.
317.

cours which she received from the states of Italy, either her subjects or allies, we find, that on the side of number, the Roman troops may be considered as superior to those of Alexander. Besides which, it would have been easy for the Romans to have recruited their armies, whereas Alexander, making war in an enemy's country, would have seen his troops decrease from day to day, as happened to Hannibal, and he would have found it more difficult than the Carthaginian to have brought others from Macedonia.

The Macedonian phalanx was in great reputation, and deservedly; but after all, it was an heavy body, all of one piece, unwieldy, and which many obstacles frequently made incapable of acting. The reader may see the description I have given of it after Polybius elsewhere. The Roman army on the contrary, divided into different bodies, moved easily, and was susceptible of all the forms it was necessary to give it. It divided and re-united with wonderful agility, and was always ready to fight in any situation of ground whatsoever.

Never were troops more enured to fatigues, more fit to support military labours, more dexterous, and more docile in respect to military discipline, nor more determinate to conquer or die in battle, than the Roman soldiers.

But what distinguished the Roman people from all the nations of the earth, and would undoubtedly have rendered them superior to Alexander, though he had gained some first advantages over them, was, that they did not know what it was to yield to ill fortune, and that their loftiness and obstinacy augmented in proportion to their disgraces. If neither the Furcæ Caudinæ, nor the battle of Cannæ, could subdue the spirit of the Romans, what defeat could ever have shaken their constancy? But had Alexander lost a single battle, he had been conquered for ever.

Though he had even been successful in the beginning, he would have been amazed to see, that the Romans, conquered, defeated, cut to pieces, if that

Ab ipso
ducit opes
animumq;
ferro. Hor.

had

had happened, would only have been the more haughtiness on that account, and would have shut their ears to all proposals of peace and accommodation. He would then have had reason to regret the Persians, Indians, and other effeminate nations of Asia, and would have owned, that he had only made war against women till then, as his uncle Alexander King of Epirus is reported to have said of him, when, mortally wounded in a battle in Italy, he compared the wars his nephew was then making in Asia, with that wherein he saw himself fall.

As for me, says Livy, when I reflect, that the Romans and Carthaginians fought during twenty-four years at sea in the first Punic war, the life of Alexander seems hardly to have sufficed for a war with the Romans.

And who knows whether the two States, allied to each other by ancient treaties, might not at that time have also united all their forces against a common enemy, and set formidable armies on foot, under the weight of which Alexander would undoubtedly have sunk.

The Romans more than once measured their swords with the Macedonians, not indeed under Alexander, nor at the time when they were strongest, but under Antiochus, who had a great number of them in his army, under Philip, and under Perseus; and they did it not only without loss on their side, but almost without running any risque. * We will be bold to say, adds Livy, that setting aside civil wars, which are out of the present question, never were the horse or foot of an enemy superior to ours. Never were we worsted in battle in the open field, never in places equally favourable to both armies, and still less, when advantageous to us. Our heavy-armed infantry may fear a numerous cavalry, flights of arrows discharged by enemies who fly immediately after, thick forests, and

* Absit invidia vero, & civilia bella fileant, nunquam ab equite hoste, nunquam à pedite, nunquam aperta acie, nunquam æquis, nunquam nostris locis laboravimus.

A. R. 435.
Ant. C.

317.

places impracticable for convoys. It has conquered, and will always conquer, more numerous and formidable armies, than those of the Macedonians and Alexander, provided the same love of peace and union, as the Roman people now enjoy, prevails always amongst us.

In this manner Livy concludes his digression, which certainly abounds with very solid and judicious reflections. But one cannot conceive, how the love of his country should blind him to such a degree, as to make him advance with an air of assurance, (*absit invidia vero*) as if the thing had been indisputable, “that the cavalry and infantry of an enemy were never superior to those of the Romans, and that they were never worsted in battle in the open field.” Had he forgot the evident superiority of Hannibal over the Roman cavalry, or the battles of Allia and Cannæ, which he had cited just before, as a proof of the constancy of the Romans?

I return to the sequel of the history, after having made one short reflection upon all those of Livy, which are solely founded on human reason. But we, who are informed of the designs of God by his Scriptures, know, that the divine decrees not having given Alexander any thing in the West, or in Italy, he could not have conquered any thing in them, no not a single village: That as great and rapid as his conquests were in the East, because Providence had allotted him every thing there, his arms would have been no less impotent against Italy, because it had granted and allotted him nothing on that side.

A. R. 436.
Ant. C.
316.

M. FOSLIUS FLACCINATOR.

L. PLAUTIUS VENNO.

Liv. l. 9.
c. 20.

The war with the Samnites will continue to employ the Romans a great while, notwithstanding the frequent and considerable losses of that people, which might induce them to lay down their arms. Histo-

rians

FQSLIUS, PLAUTIUS, Consuls.

421

rians tell us, that they lost thirty thousand men in 440, twenty thousand three years after in 443, thirty thousand more in 446, besides as many in several other actions. It is hard to conceive how the country could supply so many soldiers. Every year some place was besieged, and some battle fought; and the Romans had almost always the advantage. These successes, though slow and not decisive, prepared the way for, and even assured, the conquest of Samnium, Apulia, Lucania, and other States more remote from Rome to the East.

A. R. 436.
Ant. C.
316.

I shall not enter into a particular account of the sieges and battles, which had nothing very memorable or affecting in them, and might prove tedious in the relation. I shall regularly repeat the names of the Consuls of each year; but I shall sometimes omit that of the Dictators, very frequent at that time. I find six of them in the space of seven years, from the 438th to the 444th year of Rome; without any apparent pressing occasion for having recourse to them. This seems depreciating in some measure that supreme authority, considered in the beginning as almost the last resource in the emergencies of the State, always confided to persons of known merit, and for that reason much more respected and awful.

In the 436th year of Rome, two new Tribes were added to the old ones, the Ufentine and Falerian, which made the Tribes thirty-one in all.

The same year a Præfect or Governor (*Præfectus*) was sent to Capua at the request of that city, in order to regulate the intestine divisions that disturbed its tranquillity. The name of Præfectura, the province of a Præfect, was given to the cities, that were neither governed by their own laws, nor by magistrates elected amongst themselves: but received annual magistrates from Rome, who ruled with supreme authority and administered justice in them.

Liv. l. 9.
c. 20.

A. R. 437.
Ant. C.
315.

C. JUNIUS BUBULCUS.
Q. ÆMILIUS BARBULA.

Upon the report which was spread, of the good order re-established at Capua by the care of the Roman magistrate, the inhabitants of Antium demanded also, that some Romans should be sent to regulate their city: They were granted in consequence the persons who were the patrons of Antium: for the right of patronage was not confined to particulars, but extended to cities, and even, when the empire had attained its highest grandeur, to whole provinces, which put themselves under the protection of some powerful Senator. By the means of the Præfectships, Rome carried not only its arms, but its laws, a great way: *nec arma modò, sed jura etiam Romana latè pollebant*. This was an excellent method of extending its power, and even dominion, and infinitely preferable to that of arms, which, in employing only force, subjects only the body, whereas the other gains the heart. And what esteem for the Roman government must a magistrate have given a city to which he was sent, where the only use that he made of his power was to establish order, peace, justice, and to render the people happy. And those are the sole ends of all good government.

A. R. 438.
Ant. C.
314.

SP. NAUTIUS.
M. POPILIUS.

Liv. l. 9.
C. 21.

Defeat of the Samnites by the Dictator L. Æmilius.

A. R. 439.
Ant. C.
313.

L. PAPIRIUS, IV.
Q. PUBLILIUS, IV.

Liv. l. 9.
C. 22, 23.

The Consuls continued at Rome this year, as the last had done. The Dictator, Q. Fabius, was charged with the war against the Samnites. In a first battle Aulus Ceretanus, his master of the horse, killed the general of the enemy, and was soon after killed himself by that general's brother. In a second battle, Fabius,

POETELIUS, SULPICIUS, Consuls.

423

blius, to leave his troops no hopes but in victory, declared to them, that he would set his camp on fire; and kept them ignorant of the considerable reinforcement his new master of the horse was bringing him from Rome. The soldiers urged on by the burning of their camp, (of which the Dictator had only caused the first tents to be set on fire) marched like madmen against the enemy, who did not long sustain so rude a charge. At the same time the master of the horse, to whom the burning of the camp had been given for a signal, attacked the Samnites in the rear. Their defeat was considerable. The troops, laden with booty, returned to the camp, which, contrary to their expectation, they found entire, except some few tents. That agreeable surprize gave them almost as much joy as the victory they had just obtained.

A. R. 439.
Ant. C.
313.

M. POETELIUS.

C. SULPICIUS.

A. R. 440.
Ant. C.
312.

The new Consuls marched against the city of Sora, Liv. 1. 9. whose inhabitants had killed the Roman colony settled there, and had gone over to the Samnites. This siege would have cost the Romans much time, in effect of the advantageous situation of the place: but a deserter having discovered to them a way that led to the citadel, the place was taken in the night almost without resistance. At first the slaughter was great, because the Consuls had not entered the place. Those who had escaped the fury of the soldiers, surrendered themselves. Two hundred and fifty of them, who were the principal authors of the massacre of the Roman colony, were sent to Rome. They were all condemned to die, and executed in the Forum. That sight gave the populace a sensible pleasure, who had a great interest in the security of the citizens sent as colonies abroad. Many other cities, as Ausona, Minturnæ, and Vescia, were taken in the same manner by treachery.

A Dictator (C. Mænius) had been created to pre- Liv. 1. 9.
side in the enquiries, that were to be made into a con- c. 26.

E e 4

spiracy

A. R. 440.
Ant. C.
312.

spiracy excited abroad, to which a stop had been soon put. The Dictator, who was for making use of his authority, employed it on the occasion of certain secret assemblies said to be held at Rome for the attainment of offices. This accusation was made to fall on the nobility, who, enraged at that affront, retorted it upon the Dictator himself and his master of the horse, both Plebeians; affirming that if any were to be suspected of canvassing offices, it was themselves, who had no right to them by their birth, whereas the entrance to them was naturally open to others: and they threatened the Dictator to make him fully sensible of it, when he quitted his office. He did not wait the expiration of it. He abdicated the Dictatorship, demanded to be tried, and was declared innocent, as well as his master of the horse. * He was willing to shew, that innocence, and not consideration for their offices, was their security against such an accusation.

Liv. l. 9.
c. 27.

It was under the Consuls Poetelius and Sulpicius, that a considerable battle was fought, wherein it is said thirty thousand Samnites were either killed, or taken prisoners.

A. R. 441.
Ant. C.
311.

L. PAPIRIUS CURSOR, V.
C. JUNIUS BUBULCUS, II.

Liv. l. 9.
c. 28.

Fregellæ is retaken from the Samnites. Atina and Calatia have the same fate.

A. R. 442.
Ant. C.
310.

M. VALERIUS.
P. DECIUS.

Liv. l. 9.
c. 29.

Persons of the greatest worth are sometimes exposed to accusations without reason, and even unjustly hurt in their fame, when they have to do with jealous, violent, or absurd enemies. This happened in the Censorship of Appius Claudius and C. Plautius. The most illustrious of the Senators, whose lives and ac-

* Ut appareat innocentia nostra nos, non majestate honoris, tutos à criminationibus istis esse.

tions were irreproachable, who had worthily filled the first offices of the State, or who might justly aspire to them, experienced the malignity of these two Censors, and saw themselves shamefully deprived of the rank of Senators. I have said elsewhere, that this degradation took place in consequence of the Censors leaving out the names of those they thought fit to exclude in reading over the List of the Senators.

A. R. 442.
Ant. C.
310.

In order to fill up the places vacant by the expulsion of so many illustrious Senators worthily, Appius * introduced a great number of the sons of freedmen into the Senate. His end was to strengthen his interest, and to render himself all-powerful in that august assembly. It is not easy to conceive how a man, who in other respects had excellent qualities, could be guilty of such monstrous excesses. But of what is not a warm and violent ambition capable, which is for setting itself above all others, and for lording it at any price whatsoever? That of Appius had but ill success at this time. So enormous a proceeding prejudiced every body extremely against him.

Liv. l. 9.
c. 46.

Accordingly the next year (I anticipate facts, in order to place all that relates to the unjust and absurd conduct of these Censors together) the Consuls paid no regard to the changes introduced in the Senate by their extravagance. They read the list of the Senate as it stood before the Censorship of Appius, without having any regard either to the pretended notes of infamy, which he had affixed to those he had struck out of it, or the pretended election of those he had substituted in their room.

When the eighteen months, which was the term to which Mamercus Æmilius had limited the duration of the Censorship, were expired, C. Plautius not being† able to support any longer the complaints and hatred, which their irregular and violent conduct had drawn upon them, immediately abdicated the Censorship.

Liv. l. 9.
c. 33, 34.

* *Senatum primus libertinorum filiis lectis inquinaverat.* Liv.

† *Ob infamem atque invidiosam Senatus lectionem, verecundia victus collega, magistratu se abdicavit.* Liv.

A. R. 442.
Ant. C.
310.

But Appius obstinately refused to quit his office, and declared, he would not resign it before five years were fully expired, which was the ancient term fixed for the exercise of it at its first institution. P. Sempornius, Tribune of the People, undertook Appius with vigour. After having reproached him with the violences of his family, always imperious and enemies to the liberty of the Roman People, and which for that reason was become more odious to them, than that of the Tarquins; and put him in mind of the infamous and cruel Decemvir Appius, who had continued himself in his office in contempt of all laws: "Are these then," added he, "the examples which you propose to yourself? What! A regulation established in the commonwealth above an hundred years, observed inviolably by so many illustrious men, who have since been Censors, dare you, Appius, audaciously despise and violate, in the view, before the eyes of the Senate and People? What would become of the State, if the Consuls, if the Dictators, should undertake, of their own authority, to continue themselves in office beyond the fixed term? We have seen C. Mænius within these few years abdicate the Dictatorship long before the time, in order to justify himself, as a private person, of a crime laid to his charge. I do not require the same moderation from you, Appius. Do not quit your office one day, one hour, sooner than you are obliged: but don't exceed the just bounds of it. No, says Appius, I will continue Cenfor three years and six months compleat beyond the time allowed by the law Æmilia, and I will continue so alone. Is not this speaking and acting as a King, or rather as a tyrant? No Cenfor ever continued alone in office, all hitherto have abdicated, when their colleagues died. And as for you, neither the expiration of the term of your magistracy, the example of your colleague who is retired, the sense of shame, nor the laws, have any weight with you. You make your honour and merit consist in arrogance,

"pre-

“ presumption, and the contempt of Gods and men. A.R. 443.
Ant. C.
310.
 “ It is with pain I speak to you in this manner. The
 “ dignity you have exercised is worthy of respect.
 “ But your inflexible obstinacy obliges me not to spare
 “ you ; and I declare to you, that if you do not obey
 “ the Æmilian law, I will order you to be carried to
 “ prison.” Accordingly Appius giving only bad
 reasons by way of answer, he ordered him to be seized,
 and carried to prison. Appius implored the aid
 of the other Tribunes. Six were against him : but
 three declaring in his favour, to the disgrace of all
 the laws and all orders of the State, he exercised the
 Censorship during all the rest of the time.

* Seeing his hopes frustrated on the side of the Senate,
 he turned towards that of the People, and to assure
 himself of their suffrages, and to make himself master
 of the assemblies, he distributed the very dregs
 of the People into all the tribes, who in that manner,
 by their great number, always formed the majority of
 voices. This change was of no long duration, as we
 shall soon see.

Appius rendered his Censorship memorable by a
 famous work, which he undertook and completed
 alone : this was the great way, called Via Appia, which
 he carried on from Rome to Capua. This road was
 continued in process of time as far as Brundisium
 (Brindisi) at the extremity of the Adriatic Gulf, about
 four hundred and fifty miles : a work, of which, after
 so many ages, there are still considerable traces to be
 seen, and which is no less admirable for its duration
 than extent.

Appius brought water also to the city by the means
 of an Aqueduct, which is the first mentioned in the
 Roman History. I have spoke of the Highways and
 Aqueducts of Rome in a former part of this volume.

* Posteaquam eam lectionem (Senatorum) nemo ratam habuit, nec
 in curia adeptus erat quas petierat opes, humilibus per omnes tribus
 divisit, forum & campum corrupit. Lib. 9. c. 46.

A.R. 442.

Ant. C.

310.

Liv. l. 9.

c. 29.

Ad aram

maximam

Herculis.

By the advice of the same Appius (for his conduct is much compounded of good and evil) the Potitii, anciently charged, and it is said by Hercules himself, with the care of the sacrifices offered to that demigod upon the altar called, "The great altar of Hercules," disdaining those functions, and not being willing to undergo the trouble of them any longer, had taught the ceremonies used in them to the † slaves of the Roman people. A very surprizing thing happened soon after (says Livy, always credulous enough) which ought to be a warning against changing any thing in the sacred ceremonies of religion. Of the twelve branches of the house of the Potitii then in being, in which there were thirty males above fifteen years old, they were all taken off to a man, and the whole race entirely extinct, in the space of one year. The vengeance of the Gods did not stop there. Some years after, Appius lost his sight entirely, and continued blind during the rest of his life.

A.R. 443.

Ant. C.

309.

C. JUNIUS BUBULCUS, II.

Q. ÆMILIUS BARBULA, II.

Liv. l. 9.

c. 30.

Two new regulations were made, which gave the People the nomination to several military offices. The first related to the Tribunes, or principal officers, of the legions. Of twenty-four Tribunes, six to each legion, the People at first elected only six. From the year of which we are speaking, they nominated sixteen, so that only eight remained to be appointed by the Consuls or Dictators. I have already observed, that the Tribunes are not properly compared with modern colonels, because the Tribunes did not command a certain part of a legion, but the whole legion alternately.

Quod mihi pareret legio Romana Tribuno. Horat.

* The Servi Publici were not slaves of any private person, but of the whole commonwealth. The Temples of the Gods had also slaves, as the Venerii in Sicily, and the Martiales at Larinum.

The

The second regulation relates to the navy, little known till then amongst the Romans. This is the first time mention is made of a Roman fleet in Livy. It appears however from the two first treaties related by Polybius between the Romans and Carthaginians, that the Romans, at least particulars, had ships at sea, either for commerce, or piracy. But their number was very inconsiderable. It was decreed this year, that the People should nominate two officers, called Duumviri, for equipping a fleet, and refitting ships. The next year the Roman people sent a fleet against Campania, under the command of P. Cornelius, charged with the command of the maritime coasts. It came to an anchor at Pompeii. This expedition extended no farther than making a descent upon the neighbouring country, and taking some plunder. That too was retaken by the peasants, who killed some of the Romans before they could regain the fleet.

A. R. 443.
Ant. C.
309.

Liv. l. 9.
c. 38.

A little circumstance, one would almost call it a jest, employed people's thoughts very much this year, because it seemed to have some relation to religion. The players upon the flute, being very much offended, that the last Censors had prohibited their eating in the temple of Jupiter, as they had always done till then, went away in a body to the city of Tibur, so that there were none left in Rome to play upon the instruments in the sacrifices. Their retreat gave the Senate some disquiet, and deputies were sent to desire the inhabitants of Tibur to act in such a manner, as to induce those people to return to Rome. The Tiburtini returned an obliging answer, and began by sending for those musicians to the Senate, who exhorted them to return to Rome. That they absolutely refused. Not being able to get the better of their obstinacy, they thought of a stratagem suitable enough to the character of the persons they had to do with. They invited them to feasts, some on one side, some on another, under pretence of enlivening the entertainment by the agreeable sound of their instruments.

Ibid. l. 9.
c. 30.

They

A. R. 443.
Ant. C.
309.

They were abundantly treated. Good wine especially, to which musicians are seldom enemies, was not spared. To make short of our story, they all fell into so sudden and heavy a sleep, that they were put into waggons, and carried off without knowing any thing of the matter. They did not discover this till the next morning, when broad day-light, which found them still full of wine, opened their eyes, and shewed them that they were in waggons in the Forum of Rome. A great concourse of People immediately gathered round them. After they had been prevailed on, not without abundance of difficulty, to continue at Rome, they were granted permission to go every year in masquerade about the city during three days, singing of songs and playing upon instruments, which was regularly practised down to Livy's time. The privilege, of which the suppression had put them so much out of humour, was also restored to them, and it was decreed, that when they were employed in the sacrifices, they should have a right to partake of the feasts that usually attended them.

Liv. 1. 9.
c. 32.

At the time of which we are speaking, two considerable wars employed the Romans. The Consul Junius, who had the Samnites for his province, after having taken two cities, Cluvia and Bovianum, from them, gave them battle, in which they had twenty thousand men killed.

Ib. 1. 9.
c. 32.

On another side, all the states of Hetruria, except the Arretini, had taken arms, and began the siege of Sutrium, a city in alliance with the Romans, and which served as a barrier against the Hetrurians. The Consul Æmilius marched immediately to the relief of the place. The day after his arrival, the two armies drew up in battle, and faced each other till noon, without making any movement. The Hetrurians then, that they might not lose the day in looking upon each other, gave the signal. The action began on both sides with equal ardor. The enemy had the superiority in number, and the Romans in courage. The battle was obstinate and long doubtful. The bravest

FABIUS, MARCIUS, Consuls.

431

bravest on both sides fell in it. At length, the second line of the Romans having taken the place of the first, the enemy, who were only drawn up in one line, without any body of reserve to support it, could not resist the violent charge of those troops who were quite fresh. They, however, persisted to fight courageously, determined rather to fall by the enemy's swords than to turn their backs. There never had been less flying, and more slaughter, if night had not come on to their relief; and the victors were the first that gave over fighting. Nothing considerable besides happened this year.

A. R. 443.
Ant. C.
309.

Q. FABIVS, II.

C. MARCIUS RUTILVS.

A. R. 444.
Ant. C.
308.

The Hetrurians besieged Sutrium again. The Consul Fabius did not delay marching to the aid of the allies. He led his army along the mountains into the plain. The enemy immediately offered him battle. As they had many more troops than him, to supply his defect in number by the advantage of the place, he made them advance a little upon the declivity of the mountain. The place was stony and full of great flints. The Hetrurians marched directly to them, and threw down their darts in order to come immediately to close fight. The Romans, taking the advantage of the superiority of the ground where they were drawn up in battle, poured darts and stones upon them, which wounded many, and disordered the rest by the noise they made in falling upon their helmets and bucklers. The Hetrurians could not easily come to blows with their enemies, and had not their darts to attack them at distance. Their troops were soon put in disorder. At the same moment the Hastati and Principes, that is, the two first lines of the Roman army, charged them sword in hand. They could not support this attack, and fled in a body to their camp. But the Roman cavalry, by taking a compass, had cut off their communication with it; which

Liv. 1. 9.
C. 35—37.

A. R. 444.
Ant. C.
308.

which reduced them to take refuge on the mountains, and from thence with troops almost without arms, and covered with wounds, they entered the Ciminian forest. The Romans, after having killed a great number of enemies, taken thirty-eight ensigns, and made themselves masters of their camp, got considerable spoils.

A council of war was then held, to consider whether the enemy should be pursued. The Ciminian forest was at that time more horrid and inaccessible, says Livy, than the German forests (that is to say the Hercynian, *Hercynia sylva*) were not long since. Till then not even any merchant had penetrated into them. None but the general had courage enough to resolve to attempt the entrance: the rest had not yet forgot the defiles of Caudium. Whilst the council were in this difficulty, a young Roman (some believe him the Consul's brother) offered to go and take a view of the places, and promised soon to bring back a certain account of them. He had been brought up at Cære, a town of Hetruria, and spoke the language of the country perfectly well, as did his servant. It is said, that the young Romans learned the Hetrurian tongue at that time, as they afterwards did the Greek, and that it made a part of their education. Those two set out without company, and took no other precaution, than to learn upon the way the names of the places they were to enter, and those of the principal inhabitants of the country, in order that they might not be known for strangers in conversation. They were dressed like shepherds, and had each a scythe and two javelins all of iron. But all this did not contribute so much to conceal them, as the firm persuasion of every body, that no stranger would think of entering that forest. They arrived amongst the inhabitants of Cameracinum in Umbria. The Roman declared who he was, and was conducted to the Senate. He proposed a treaty of alliance and amity in the name of the Consul. His proposal was accepted with joy. He was assured, that if the Romans entered the forest, they should find provisions in it for thirty days, and all

FABIUS, MARCIUS, Consuls.

433

the youth of the country under arms, and ready to obey their orders. Upon this news, the Consul made the baggage set out in the beginning of the night, and the legions soon after, and stayed behind with the cavalry. At day-break the next morning he appeared in the face of the enemy's advanced posts on the outside of the forest, and after having amused them some time, retired to his camp, which he quitted soon after at another gate, and came up with the rest of his army the same night. The next day in the morning he had gained the top of the Ciminian mountain. From thence, after considering the rich lands of Hetruria, he made his troops march down to plunder the country. They were returning with immense booty, when some bodies of peasants, armed in haste, came to intercept them with so little order, that they were very near being taken themselves by those whom they intended to deprive of their booty. After having beaten and put them to flight, the soldiers returned victorious, and laden with spoils to the camp.

A. R. 444.
Ant. C.
308.

In the mean time, upon the report that was spread at Rome, of the Consul's design to penetrate into the Ciminian forest, the city was seized with terror, and the alarm became general. They knew what the rashness of the two Consuls, who had imprudently engaged themselves in the defiles of Caudium, had cost the commonwealth, and the traces of the shameful treaty concluded there, was not yet worn out of the minds of the citizens. Five deputies were immediately dispatched, with whom, in order to give them more weight, two Tribunes of the People were joined, to forbid the Consul to pass the Ciminian forest, in the name of the Senate. That order happily arrived too late, to the great satisfaction of the deputies, who returning immediately to Rome, filled it with joy by the agreeable news of the advantages gained by the Consul.

This expedition of the Consul, far from terminating the war, only excited a new one still more terrible than the first. The ravaging of the country at the foot

Liv. l. 9.
c. 37.

A. R. 444.
Ant. C.
308.

of the Ciminian mountain had incensed not only the inhabitants, but the Umbrians in the neighbourhood, against the Romans. The two people having in consequence joined their troops, marched to Sutrium, others say to near Perusia, with an army much more numerous than the first. Without loss of time, they offered the Romans battle, who kept still without moving. They then approached their intrenchments, and seeing that the advanced guards had re-entered the camp, they did not doubt but it was an effect of the enemy's fear, and pressed their generals to send them provisions for the day to the place where they were; declaring that they would continue under arms, and were resolved to attack the camp the same night, or the next day at sun-rise. The Roman army expressed no less ardor for the battle: but the general's orders kept them within bounds. It was about the tenth hour of the day (two hours before sun-set) when he commanded his soldiers "to refresh themselves, and to keep under arms in readiness to move at the first signal that should be given either by day or night. He exhorted them in few words, in extolling the Samnites, whom they had often defeated, much above the Heturians. He added, that he had a secret view which he could not explain at present, that they should know at the proper time." By these obscure and enigmatical words he seemed to insinuate, that he relied upon some treachery; and this he did to encourage his soldiers, whom the great number of the enemy's troops might have daunted. What rendered this notion the more probable, was the enemy's being in the open field without intrenchments. After having taken some nourishment, they also reposed themselves. At the fourth watch of the night, that is to say, three hours before sun rise, they were awakened without noise, and armed. Axes and tools were given the servants of the army to demolish the intrenchments and fill up the works. The army was drawn up in battle within the inclosure of the camp, and chosen cohorts were posted at the gates. When the

FABIUS, MARCIUS, Consuls.

435

A. R. 444.
Ant. C.
308.

the signal was given a little before day, which is the time when people sleep soundest in summer nights, and the intrenchments were down, the army quitted the camp. They found the enemy lying on the ground dispersed here and there, some immoveable, others half asleep in their beds, and the greatest part of them running to their arms: a dreadful slaughter of them ensued. Few had time to arm. And as even those had neither officer to command them, nor ensign to assemble under, they were soon put to flight, and pursued by the cavalry. Some retired to the camp, others to the forest, and the latter found most safety. The camp was taken the same day. Orders were given to carry all the gold and silver to the Consul; the rest of the spoils were abandoned to the soldiers. Sixty thousand men were either killed or made prisoners in this action. In consequence of the loss of this battle the principal cities of Hetruria, and the most opulent in those days, Perusia, Cortona, and Arretium, sent deputies to Rome to demand peace, and a treaty of alliance. A truce for thirty years was granted them.

The entrance of Fabius into the Ciminian forest Liv. 1. 9.
gave the Samnites no less joy than it had given Rome C. 38.
alarm. A report had spread amongst them, that the Roman army, always fond of hazardous enterprizes, had rashly engaged in an unpassable forest, where the Hetrurians kept it shut up in such a manner, that it was impossible for it to retire, as had happened some years before at Caudium. Their joy was mingled with a kind of jealousy, that the glory of humbling the Romans should be transferred to another people. They therefore drew all their forces together, in order to crush the Consul Marcius if they could: and if he refused battle, they determined to set out immediately, and to cross the countries of the Marfi and Sabines, in order to join the Hetrurians. We may judge from thence, how high their hatred rose against Rome. The Consul spared them the pains of that march, and advanced to meet them. A bloody battle

F f 2

ensued,

A. R. 444.
Ant. C.
308.

ensued, in which the loss was very great on both sides, and the victory doubtful. However, as many of the knights, and several legionary Tribunes, with a lieutenant-general were killed, and the Consul himself wounded, a report spread at Rome, that the battle had been lost, which occasioned great consternation.

In this alarm, it was thought necessary to nominate a Dictator, and every body cast their eyes upon Papirius Cursor, undoubtedly the most able and most esteemed general of his times. But to send a courier to Samnium, of which all the passes were in the hands of the enemy, was not safe; besides which, it was not certain whether Marcius were still alive. Fabius, the other Consul, was still in Hetruria: but it was known, that he had not yet forgot the rigor, with which Papirius had formerly acted in regard to him, and the consequences of the resentment, which he still retained on that account, were apprehended. The Senate deputed the most illustrious of their body to him, in order that their particular authority, uniting with that of the august assembly who sent them, might induce Fabius to get the better of his private animosity in consideration of the public good. The deputies opened their commission to him, and added some advice conformable to the intentions of the Senate. The Consul heard them with his eyes fixed on the ground, and withdrew, leaving them uncertain as to what he would do. But the same night (it was the custom to perform this ceremony in the night) he declared Papirius Dictator. The next day the deputies made him great compliments upon his generosity. But he still observed a strict silence: so * that it was easy to discern in his manner of behaviour the struggle of a great soul suppressing a warm resentment, not without difficulty.

The Dictator, after having appointed C. Junius Bubulcus Master of the Horse, set out with the legions, which had been levied just before upon the re-

* Ut appareret insignem dolorem ingenti comprimi animo. Liv.

port of the danger of the army in passing the Ciminian forest. Being arrived at Longula, and having taken the command of the troops from the Consul Marcius, he drew up his army, and offered the enemy battle, who did not seem to refuse it. Neither side however beginning the action, night came on, and left them in the same posture. They continued some time encamped near each other without moving, not because they could not confide in their own forces, but because neither despised those of their enemy.

In the mean time some other actions passed in Hetruria. On one side battle was given the Umbrians, who were routed and put to flight immediately, which occasioned their loss not to be considerable. On the other, the Hetrurians assembled in great numbers near the lake of Vadimon. They had made their levies in a manner, which shews how high their desire of vengeance and their fury rose, choosing man by man, and pronouncing terrible imprecations against all such as should refuse to take arms, or should quit them without orders. Never had they fought with troops so numerous and animated. In consequence they came immediately to blows, without any thoughts of using their darts. The action only augmented their ardor for the fight, so that the Romans imagined they were not engaged with the Hetrurians, whom they had so often conquered, but with a nation entirely new and unknown to them. Neither side knew what it was to give way or fly. The front lines on both sides having been cut to pieces, the second took their places. At length the reserved troops advanced to engage. This resolution and intrepidity were equal on both sides, and continued so a great while, till the Roman horse dismounting, advanced over the arms and dead bodies to the front. That reinforcement of entirely fresh troops put the front ranks of the Hetrurians into confusion and disorder. The other Roman soldiers, as much weakened as they were by wounds and fatigue, resumed courage from the example of their horse, and broke into the main body of the enemy. Their obstinacy

A. R. 444.
Ant. C.
308.

could not hold out against this new effort: they were reduced to give way, and at last, to fly. This defeat gave a mortal wound to the power of the Herrurians, which it never after recovered. They lost in this battle the whole flower of their youth: and their camp was taken and plundered.

The war with the Samnites was attended with almost equal danger and the like success. Without speaking of their other preparations of war, in order to make their troops the more splendid, and at the same time the more terrible in their sense, they gave them arms of a new kind. Their army was divided into two bodies. The shields of both were adorned with figures of curious workmanship, of the one with gold, and of the other with silver. These shields were large and square at top, to cover the breast and the shoulders, and gradually lessened towards the bottom, in order to their being the more light and manageable. Their cuirass was a kind of coat of mail, which Livy expresses by the word *Spongia*. Upon their left thighs they had cuisses. Their helmets were set off with a plume, to add to their stature. The habits of the soldiers who carried a shield adorned with gold, were party-coloured; those of the others were of extremely white linnen. Care had been taken to give the Romans notice of this new and pompous appearance of the enemy. Their commanders had industriously animadverted to them,* “ That the soldier ought not to glitter with gold and silver, but to appear dreadful from arms of steel and valour: that gold and silver were rather spoils than armour: that they looked bright before action, but in battle, in the midst of blood and wounds, lost all their lustre. That courage was the true ornament of soldiers, that all that splendor followed victory; and

* *Horridum militem esse debere; non cælatum auro & argento, sed ferro & animis fretum. Quippe illa prædam verius, quam arma esse; nitentia ante rem, deformia inter sanguinem & vulnere. Virtutem esse militis decus, & omnia illa victoriam sequi; & ditem hostem quamvis pauperis victoris præmium esse. Liv.*

that however poor the victor was, the richest enemy became his prey." A. R. 444.
Ant. C.
308.

Papirius, after having spoke thus, led on his troops to battle. He commanded the right wing, and his Master of the Horse the left. As soon as they came to blows, the dispute of arms with the enemy was violent, but that of glory between the Dictator and Master of the Horse was no less warm, each striving which of them should first determine the victory to incline to his side. Chance declared in favour of Junius, who first made the enemy give way upon the left wing. Those were the troops armed and cloathed in white, who before they came to the battle had laid themselves under the most horrid imprecations, not to fly. Junius, crying with a loud voice, that he devoted them to Pluto, charged them furiously, and put them in disorder. The Dictator perceiving that, cried out: "How! Shall the victory begin on the left wing, and shall the right commanded by the Dictator have only the second rank?" This reproach was a powerful incentive to animate the right wing. The troops acted universally with new ardor. The horse piqued themselves upon not giving place to the infantry, nor the lieutenants to the generals. M. Valerius on the right, P. Decius on the left, both persons of Consular dignity, advanced towards the horse posted on the two wings, and having exhorted them to advance and share with them in the glory of defeating the Samnites, they charged the enemy in flank on both sides at once. This unexpected attack put all things in disorder. The legions at the same time, raising new cries, pushed them with vigour. The Samnites found no safety but in flight. Their fear made them seek refuge at first in their camp: but the same dread soon made them quit it. The camp was taken, plundered, and burnt before night. The Senate decreed the Dictator a triumph, of which the arms taken from the enemy were the principal ornaments. There was so much magnificence in them, that the gilded shields were divided amongst the mas-

A. R. 444.
Ant. C.
308.

ters of the goldsmiths shops round the Forum, to be displayed for shew, and to serve as ornaments to them. It is said, that this gave occasion to the custom afterwards introduced of adorning the Forum in a religious solemnity during the celebration of games, wherein the statues of the Gods were carried in procession to the Circus upon a kind of litters, called *Thensæ*: from whence comes the expression frequent enough amongst the ancients, *thensas ducere*.

Fabius, the same year, without much difficulty defeated the remainder of the Hetrurians near Perugia, who had broke the truce. He would have taken that city by force, but it prevented the assault, and surrendered. After having put a garrison into it, and sent the deputies of Hetruria, who demanded peace, before him to Rome, he returned thither himself, and obtained a triumph still more illustrious than that of the Dictator. P. Decius and M. Valerius shared with the latter in the glory of the victory gained over the Samnites. The People expressed their gratitude to them on that account at the approaching election by unanimously electing the one Consul, and the other Prætor. This was the fourth time the Prætorship had been conferred on Valerius.

A. R. 445.
Ant. C.
307.
liv. l. 9.
C. 41.

Q. FABIVS III.

P. DECIUS II.

In the allotment of provinces, Hetruria fell to Decius, and Samnium to Fabius. The latter defeated the Samnites, and his victory cost him little. The Marfi and Peligni, who came to their aid, had the same fate.

Decius was no less successful on his side. He obliged the people of Tarquinii to supply his troops with corn, and to demand a truce of him for forty years. He took several places from the Volsinienſes, and demolished some of them, that they might not serve for retreats to the enemy. In carrying his arms throughout the country he spread so great a terror, that

that the whole nation in a body sent deputies to demand peace of him. They could not obtain it. They were granted only a truce of an year, on condition of paying the Roman army for one year, and supplying each of the soldiers with two habits.

A. R. 445.
Ant. C.
307.

After so many defeats every thing one would think should have been quiet on the side of Hetruria. But the revolt of the Umbrians, a very powerful people, whom the war had cost only some incursions into their country, drew after it that of the greatest part of the Hetrurians. They had raised so numerous an army, that they believed it impossible to resist them. Speaking of themselves in magnificent terms, and of the Romans with the utmost contempt, they reckoned to leave Decius behind them, so little they regarded him, and to march directly to besiege Rome. As soon as the Consul was apprized of that design, he set out from Hetruria, and by great marches returned towards Rome. In order to observe the motions of the enemy, he halted in the territory of Pupinia.

Rome was not without alarm in respect to the war with the Umbrians. Their menaces, though they had perhaps more rodomontade than reality in them, did not fail to give her some apprehension, remembering what she had suffered from the Gauls. Deputies were therefore sent to the Consul Fabius, to engage him to march his army into Umbria as soon as possible, if the affairs of Samnium would admit. He set out directly, and by great marches arrived at Mevania, where the army of the Umbrians then was.

The sudden arrival of the Consul, whom they believed far from Umbria employed in another war in Samnium, surprized and terrified them to such a degree, that some of them were of opinion it was necessary to shut themselves up in their strong places. Others were for renouncing the war entirely. However some, more bold or more rash than the rest, determined upon giving battle immediately. Accordingly they attacked Fabius, whilst he was employed in intrenching his camp. He made his soldiers quit
the

A. R. 445.
Ant. C.
307.

the work, drew them up in battle; and putting them in mind of the many victories they had gained, he exhorted them to revenge the insolence of those people, who threatened to besiege Rome. They were full of cheerfulness and valour, and did not wait the signal, nor till the trumpets sounded, but fell directly upon the enemy. They began by pulling the ensigns out of the hands of those who carried them, and then dragged the carriers themselves to the Consul's feet. The Umbrians scarce made any resistance, and upon the first orders, which the Consul caused to be dispersed throughout the whole army, that such as would save their lives should lay down their arms, they all surrendered that moment. The next and the following days all the other States of Umbria did the same.

Fabius, victorious over a people, and in a war which were not in his province, led back his army into the country of the Samnites. In reward of so important a service, he was continued in the command for the following year.

A. R. 446.
Ant. C.
306.

APPIUS CLAUDIUS.

L. VOLUMNIUS.

Liv. l. 9.
c. 42.

Volumnius was sent against the Salentini, new enemies, who till then had been out of the reach of the Roman arms. He acquired great reputation in that war, gained several battles, and took some cities. He * abandoned the spoils willingly to the foldiers, and seasoned a liberality, of itself highly agreeable, with so graceful and insinuating a behaviour, as added a new value to it, and acquired him the hearts of all the troops. In consequence, to please him, they went through the severest labours with joy, and confronted the greatest dangers with intrepidity. Such a quality in a general, vastly exalts the courage of an army, and in some measure doubles its number.

* Prædæ erat largitor, & benignitatem per se gratam comitate adjuvabat, militemque iis artibus fecerat & periculi & laboris avidum.

Liv.

SULPICIUS, SEMPRONIUS, Consuls.

443

Fabius the Pro-consul gained, on his side, new advantages over the Samnites.

P. CORNELIUS ARVINA.

A. R. 447.

Q. MARCIUS TREMULUS.

Ant. C.

305.

The Samnites were often defeated but never sub-
jected. They lost a battle this year, in which they
had thirty thousand men killed.

Liv. l. 9.

C. 43.

Livy mentions a third treaty made with the Carthaginians at this time.

L. POSTUMIUS.

A. R. 448.

Ant. C.

T. MINUCIUS.

304.

The Consuls were both sent against the Samnites,
but in different places. Sometimes together and some-
times separate, they acted always in concert, beat the
Samnites on several occasions, and took some towns
from them.

Liv. l. 9.

C. 44.

P. SULPICIUS SAVERRIO.

A. R. 449.

SEMPRONIUS * SOPHUS.

Ant. C.

303.

Though there was little reason to confide in the
promises of the Samnites, however, at their earnest
solicitation, the ancient treaty with them was re-
newed.

Liv. l. 7.

C. 45.

At the same time the Consuls turned their arms
against the Æqui, the ancient enemies of the Roman
people, who after having long continued in sufficient
tranquillity, had some short time before aided the
Samnites, and taken upon them to insult the Romans.
When they saw the army of the enemy upon their
lands, they did not dare to face it, though they had
considerably numerous forces. They chose to retire
into their respective cities, resolving to make a good
defence there. The Romans attacked them one after

* This Sempronius is the only one, to whom the Romans gave the
surname of Sophus, that is to say, the Wise. His extraordinary know-
ledge of the law acquired him so glorious a title. POMPON. de or. juris.

another,

A. R. 449.
Ant. C.
303.

another, and carried them all by storm in fifty-five days to the number of forty-one. They demolished and burnt most of them, and the nation of the Æqui was almost entirely destroyed. This example of severity induced the Marrucini, Marfi, Peligni, and Frentani, to send Deputies to Rome to demand a treaty of peace: which was granted them.

Liv. l. 9.
c. 46.

The same year C. Flavius the Register, a man of mean birth, his father having been a freed-man, but of understanding and eloquence, was made Curule Ædile. As, according to some Authors, he was actually subordinate to the Ædiles in quality of Register, and for that reason the person who presided in the assembly, seeing him upon the point of being chosen Ædile, refused to admit him as qualified, he declared to the assembly upon oath, that he would exercise the office of Register no longer: some write, that he had quitted it before. However that were, he well knew how to avenge himself upon the nobility for their contempt of his birth. The * Pontiffs (they were of the Patrician order) had made themselves masters of what was then called the Civil Law: that is, they alone knew the days, on which it was lawful to plead, because the Fasti, wherein those days were set down, were only in their hands. It was therefore necessary to have recourse to them, and to consult them continually upon the affairs of particulars, that occurred, which occasioned their being in great consideration. This Flavius, whom they supremely despised, was a person of more art and dexterity than themselves, and played them a trick, of which they had not the least suspicion, in disclosing all their mysteries. He stole from them their whole science, copied their collection of the † forms of law, and of the Fasti, which they

* Posset agi lege, nec ne, duci quondam sciebant: fastos enim vulgo non habebant. Erant in magna potentia qui consulebantur. Pro MURÆN. n. 25.

† Civile jus & Fasti, terms used here by Livy are two different things, of which the Pontiffs had made themselves masters. Civile jus, signified the forms according to which an action was brought before the judges, or according to which the action of an adversary was to be answered. Fasti, was the book wherein the juridical days were set down.

SULPICIUS, SEMPRONIUS, Consuls.

445

kept carefully locked up, made them public, and enabled the whole city to know of themselves on what days they might plead, and what forms it was necessary to use. A. R. 449.
Ant. C.
303.

He carried another point against the nobility, which mortified them exceedingly. This was a dedication of a temple, an honour much solicited amongst the Romans, because the name of the dedicator was inscribed upon the front of that sacred edifice. The temple here in question was that of Concord. The great Pontiff was first to pronounce certain words, which the person who was charged with the ceremony repeated after him. The Pontiff, in despair to be obliged to render the declared enemy of his colleague that service, sought all means for avoiding it, and pretended that only a Consul, or a general of an army, could dedicate a temple. The affair was carried before the People, and the great Pontiff was cast. The Senate caused an ordinance to be passed by the People, that from thenceforth no person should dedicate a temple or an altar without the permission of the Senate, or the majority of the Tribunes.

There happened also another affair, little in itself, and which would not be worth repeating, if it were not a proof of the Plebeian liberty in respect to the pride of the nobles. Flavius went to pay his colleague, who was sick, a visit. When he entered his chamber, not one of the young nobility who were there rose up to shew him respect as was usual, but all kept their seats. Flavius was not in the least dashed; but * ordered his Curule-chair to be brought in, which was the mark of his dignity, and from that seat of honour had the satisfaction to enjoy at his ease the pain he gave those who envied him. Persons, so foolishly infatuated with the nobility of their birth, well deserved such a mortification.

For the rest, the manner, in which Flavius attained the Ædileship, did him no honour. We have observ-

* Curulem afferri sellam eò jussit, ac sede (id est e sede) anxios invidiâ inimicos spectavit. Liv.

A. R. 449.
Ant. C.
303.

ed that Appius, through views of ambition, had dispersed the populace, that is to say, the dregs of the people, into all the Tribes. It was this rabble who chose Flavius Ædile.

From this change, Rome was in a manner divided into two parts : that of the sounder part of the People, who respected virtue, and were in the interest of persons of worth, and that of the Populace and meanest sort, who formed a distinct faction. Things continued in this condition till the Censorship of Q. Fabius and P. Decius, which cannot be placed in any other year than that of which we are speaking, according to some, and even Livy himself. Fabius, to support concord in the city, and at the same time to prevent the dregs of the People from ruling in the assemblies, who being dispersed into all the tribes, formed always the majority of voices in them, included them all in four tribes only, and those city-tribes. In this he only restored things to their original institution. Servius Tullius, author of the division of the tribes, destined those of the city for the reception of the inferior people and freed-men ; and for that reason those of the city were the least honourable. This distinction of the different orders of the citizens re-established by Fabius, was so well received by the publick, that it acquired him the surname of Maximus (most great) which all his victories had not attained.

It is also said, that it was he who instituted the solemn review of the Roman knights, which was made every year on the fifteenth of July, wherein, divided into squadrons, crowned with olive branches, dressed in their robe of ceremony (*trabea*) and mounted on their horses, they went in pomp either from the temple of Mars, which was without the walls, or from the temple of Honour, to the Capitol. In this manner Dionysius Halicarnassensis describes this cavalcade : but he supposes it instituted immediately after the battle at the Lake of Regillæ.

Lib. 6.
P. 351.

S E C T. III.

Two new colonies established. Æqui checked. Grecian fleet repulsed. Wars against the Marfi and Hettrurians easily terminated. The Plebeians are admitted to the dignity of Pontiffs and Augurs. Law of appeals to the People renewed. Two Tribunes added to the number of those magistrates. The Hettrurians engage the Gauls to join them. The latter, after having received the sums agreed on, refuse to perform conditions. War with the Hettrurians and Samnites. Fabius is elected Consul against his will: Decius Mus is given him for his colleague. They march against the Samnites, gain great advantages over them, and ravage their whole country. Ap. Claudius and L. Volumnius are chosen Consuls. Decius, to whom the command had been continued for six months, defeats the army of the Samnites, and obliges it to quit the country. It marches to join the Hettrurians. Decius takes several places in Samnium. Volumnius marches thither with his army, as Appius does into Hettruria, where he had little success. Volumnius removes with his army into Hettruria. He is very ill received by his colleague. The troops oblige him to stay there. The two Consuls gain a considerable victory over the Hettrurians, whom the Samnites had joined. Volumnius returns into Samnium, where he defeats the Samnites, and takes from them the booty they had made in Campania. News arrives from Hettruria, which occasions great consternation. The defeat of the Samnites abates the alarm. Two colonies are sent into Samnium. On the report of terrible preparations for a war in Hettruria, Q. Fabius and P. Decius are chosen Consuls. New altar instituted to Plebeian chastity. Usurers fined.

L. GENUCIUS.

SER. CORNELIUS.

A. R. 450.

Ant. C.

302.

ROME was at that time almost exempt from foreign wars. Two colonies were sent abroad: the one of four thousand men to Sora, and the other of

A. R. 450.
Ant. C.
302.

of six thousand to Alba * Fucentis, a city of the Æqui. The freedom of Rome was given at the same time to the Arpinates and Tribulani. We see Rome at this time discharged of ten thousand poor citizens. How wisely instituted was this custom, almost as ancient as the city itself, of removing from time to time the supernumerary load of inhabitants from the capital city, for relieving the distress of those who had no means of life; for lessening and weakening the multitude of the poorer sort, who are always ready to raise tumults, when they are very numerous, and together; to awe the cities of the provinces by this kind of garrison; and to inspire the subjects newly conquered with the spirit, and maxims of, as well as affection for, the Roman government.

A. R. 451.
Ant. C.
301.

M. LIVIVS.

M. ÆMILIUS.

The Æqui, though reduced to extreme weakness, undertook to expel the Roman colony, that had been settled in their country. It sufficed at first to check them. An army was afterwards sent from Rome, that entirely subjected them.

A Grecian fleet, under the command of † Cleonymus the Lacedæmonian, landed in Italy, and took the city of ‡ Thurii, in the country of the Salentines. The Consul Æmilius obliged Cleonymus to betake himself to his ships, and to go in quest of fortune elsewhere. Carried by the winds to the bottom of the Adriatick Gulph, he landed again, and advanced to Patavium (Padua) in the country of the Veneti; and after various adventures was obliged to retire with scarce a fifth part of his fleet. Livy, born at Padua,

* This city is placed in the country of the Marfi. It is probable that the Æqui having been almost entirely extirpated, the Marfi their neighbours settled in their late country, and gave it their name. And indeed, in succeeding times there is no mention of the Æqui at all.

† This Cleonymus was the son of Cleomenes king of Sparta, and uncle to king Aræus.

‡ Thurii, a city built out of the ruins, and in the neighbourhood of the ancient Sybaris.

has

VALERIUS, APPULEIUS, Consuls.

449

has done his country the honour to relate the particulars of the advantage gained by the Paduans over Cleonymus. A. R. 451.
Ant. C.
301.

Rome had two wars to sustain. The first was against the Marfi, who were defeated with no great difficulty by the Dictator M. Valerius Maximus. He found more resistance from the Hetrurians: but at length he gained a considerable victory over them, which obliged them to demand peace. He permitted them to send Deputies to Rome, after having made them advance the pay of the army for a year, and furnish it with corn for two months. Rome only granted them a truce for two years. The Dictator returned in triumph into the city, and was made Consul for the following year.

M. VALERIUS MAXIMUS.

A. R. 452.
Ant. C.
300.

Q. APPULEIUS.

No disputes had been heard of a great while between the Patricians and Plebeians. Two Tribunes of the People, Q. and Cn. Ogulnius, excited one in respect to the Priesthood, of which till then all the offices, except that of keepers of the Sibyl's books, had been solely in the hands of the Patricians. The dignities of Augurs and Pontiffs were the subject of the present contest. When the Augurs were first instituted, three had been created, one for each of the ancient tribes (Ramnes, Titienfes, and Luceres). Three more were afterwards added: for the addition was always made by an odd number, in order that each tribe might always have a like number of Augurs. There should have been six at that time: of which it is probable that two were dead, as there were two vacancies in the college of Augurs. It appears, from what Livy says in this place, that the name of Priests (Sacerdotes) was equally given, and common, both to the Augurs and Pontiffs. The Tribunes proposed, that the college of Augurs should be augmented to the number of nine, and that of the Pontiffs to eight; and that all

Liv. l. 10.
c. 6—9.

A. R. 453.
Ant. C.
300.

the offices, to be filled up in virtue of this augmentation, should be occupied by Plebeians.

The Patricians saw with abundance of grief, that the priesthood was also to be disputed with them, the only distinction, and privilege, which they retained of their ancient grandeur : for the Plebeians had divested them of the sole right to Consulships, Censorships, and Triumphs. But, accustomed to be always overcome in this kind of disputes, they gave way in this almost without resistance, contenting themselves with saying, “ That this change by which religion was profaned, regarded the Gods ; and that they wished it might not draw down some misfortune upon the commonwealth.”

Incinctus
cinctu Gabino.

There were, however, some harangues for and against the law spoke before the people. Appius Claudius pleaded for the right of the Patricians, and P. Decius Mus for the Plebeians. The latter, representing the image and attitude of his father Decius, when covered with the most august habit, and standing upon a spear, he devoted himself for the People and Legions ; Decius, I say, demanded, “ Whether one could believe, that his father had appeared less pure and agreeable in the sight of the immortal Gods, than his colleague T. Manlius would have done ? And whether he who had offered himself as a sacrifice to the Gods, in the name and for the preservation of the commonwealth, might not have been chosen a priest ? Has there been reason to repent the vows, which so many Plebeian Consuls and Dictators, either in setting out for the army or in battle, have made for the commonwealth, and which the Gods had heard ? Since the Roman armies had been confided to the conduct of the Plebeians, and had fought under their auspices, had they reckoned fewer triumphs amongst them, than amongst the Patricians ? Wherefore then, as they shared the offices of Prætor, Consul, Dictator, and the honour of triumphs, with the Patricians, should they not also share the dignities of Augur and Pontiff with them ? That where merit was equal, honours ought also to be so, In a word, added he, it seems to me
(and

VALERIUS, APPULEIUS, Consuls.

45f

(and I hope the Gods will not be offended at what I am going to say) that after all the marks of distinction, with which the Roman people have adorned us, we are no less capable of doing honour to the priesthood, than we are of receiving honour from it; and that if we desire it with so much ardor, it is less out of ambition and the view of exalting ourselves, than a motive of religion and for the honour of the Gods." I am not surprized at a Roman's talking in this manner. All that the Pagans heard of their Gods, could not inspire them with great respect for such divinities.

A. R. 452.
Ant. C.
300.

The People demanded, that the Tribes should proceed to their suffrages, and there was no room to doubt in what manner they would have decided. It was, however, deferred by the opposition of some Tribunes. The next day the opponents joined their colleagues, and it was passed unanimously. Four Pontiffs were created, at the head of whom was P. Decius Mus, the author of the law, and five Augurs, all Plebeians.

The same year the Consul, M. Valerius, renewed the law concerning appeals to the People. It had been passed at first by Valerius Publicola; next by Valerius Potitus; and in the third place it was renewed now by Valerius Corvus. The reason no doubt of renewing this law at different times, was because the credit of particulars was too strong for this institution, and oppressed the liberty of the People. Only the law Portia, passed long after, could secure the persons of the citizens, in laying great penalties upon such as should scourge, or cause a citizen to be put to death. The * law Valeria, in prohibiting the scourging or putting to death of one, who should appeal to the People, added only, that he who should act in another manner, would do ill. Happy age, wherein this reflection, "Whoever should transgress the law,

* Valeria lex, cum eum qui provocasset, virgis cædi securique necari vetuisset, si quis adversus ea fecisset, nihil ultra, quam improbe factum, adjecit. Id (qui tum pudor hominum erat) visum, credo, vinculum satis validum legis. Nunc vix serio ita minetur quisquam. Liv.

FULVIUS, MANLIUS, Consuls.

would do ill," was a sufficient tie to prevent men from the violation of it. Who in these times, cries Livy, would seriously threaten in such a manner?

A. R. 453.
Ant. C.
299.

M. FULVIUS PÆTINUS.

T. MANLIUS TORQUATUS.

All the centuries were inclined to elect Q. Fabius Consul. He insinuated, that at present a magistracy, of which the functions should confine him to the city, would enable him to do the State most service. It was not difficult to conceive what he desired, though he did not demand it. He was created Curule Ædile with L. Papirius Cursor. This fact seems doubtful to Livy.

The Censors completed the Census this year with the usual ceremonies.

Two tribes were also added to the old ones, the Anienfis and Terentina: which made them amount to thirty-three.

Liv. l. 10.
c. 10.

Nequinum, a city of Umbria, where Narnia was afterwards built, was taken by the treachery of two of its inhabitants.

The Hettrurians made preparations for a war with the Romans, though the truce was not expired: but an irruption of the Gauls into their country deferred the execution of it. As the Hettrurians were very rich, they endeavoured to make these new enemies their allies by the means of money, in order to be the better able to attack the Romans with their united forces. The Gauls willingly accepted the proposal, and agreed upon the price. When they had received it, and were to set out, they said, that to march against the Romans had not been included in the contract, and that they had only engaged not to ravage the lands of the Tuscans, and not to attack those who cultivated them. That however they would follow them against the Romans, if they thought fit, without requiring any other reward from them, except that they would grant them some part of their country to settle in, in order

CORNELIUS, FULVIUS, Consuls.

453

order that they might at length have a fixed and quiet abode. The Heturians held several assemblies on this proposal: but could not come into it. It was not so much the diminution of their dominions that prevented them, as the fear of having so fierce and enterprizing a people for their neighbours. Thus not being able to terminate the affair, the Gauls retired, carrying with them a considerable sum of money, which had not cost them much pains, but which acquired them no reputation for equity and faith to their engagements. The fear of being attacked at the same time by the Heturians and Gauls gave the Romans great alarm; which induced them to conclude a treaty immediately with the Picentes, a people in the neighbourhood of Samnium.

A. R. 453.
Ant. C.
299.

The province of Heturia had fallen by lot to the Consul Manlius. He had scarce entered the enemy's country, when he died of a fall from his horse. The Heturians took this event as a good omen for them, and full of confidence immediately assured themselves of the success of a war, which the Gods themselves seemed to have began. Their joy was short-lived. When they saw M. Valerius Corvus enter their country, who had been substituted to the Consul lately dead, they dared not shew themselves in the field, but kept close in their towns. Valerius ravaged all the flat country.

Liv. 1. 10.
C. 11.

Advice came from the Picentes, that the Samnites were preparing to take arms again; and the Senate turned their principal attention that way.

L. CORNELIUS SCIPIO.

CN. FULVIUS.

A. R. 454.
Ant. C.
298.

The beginning of this year the Lucanians sent deputies to the new Consuls, "to complain that the Samnites had made incursions into, and ravaged, their country, because, notwithstanding all the instances they could make, they had refused to join them against the Romans. They said, that their past faults had

G g 3

made

A. R. 454,
Ant. C.
298.

made them wise, and that they were resolved to suffer every thing rather than consent to declare against Rome. That they desired the Senate to take the Lucanians under their protection, and to defend them against the Samnites. That, though they had already given sufficiently strong proofs of their attachment to the Romans in drawing the arms of the Samnites upon themselves, they were however ready to give hostages for their behaviour."

The Senate was not long in deliberating upon this demand. They concluded a treaty with the Lucanians, and sent heralds immediately to the Samnites, to tell them to withdraw their troops directly from the lands of their allies. On their way they met deputies from the Samnites, who had orders to declare to them, that if they addressed themselves to any assembly of the Samnites, they would not be heard with impunity. Rome hesitated no longer, and the war was declared against the Samnites in all the forms.

The Consuls divided the provinces between them. Hetruria fell by lot to Scipio, and Samnium to Fulvius. Scipio expected a slow war like that of the foregoing year: but the enemy marched to meet him at Volaterra. The battle continued a great part of the day, and was very bloody on both sides. Night left the armies uncertain which had the advantage. The next morning distinguished the victors from the vanquished. The Hetrurians had abandoned their camp in the dead of night. The Romans advanced in order of battle, and perceiving, that the enemy, by their precipitate retreat, had yielded them the victory, entered the camp of the Hetrurians, where they took considerable spoils. From thence, the Consul led his troops into the country of the Falisci, and leaving his baggage in Falerii with a body of troops to guard it, entered the enemy's country, and put all to fire and sword, without undertaking any siege however; probably because he was not in a condition to attack the fortresses, into which the Hetrurians had retired.

Fulvius

Fulvius gained also a considerable victory over the Samnites near Bovianum, which fell to the victor's share. Soon after he took Aufidena by assault. The same year a colony was sent to Carseoli in the country of the Æqui. The Consul Fulvius triumphed over the Samnites.

A. R. 454.
Ant. C.
298.

At the approach of the assemblies for the election of Consuls, a report spread, that the Hetrurians and Samnites were raising great armies; that amongst the former, the principal persons of the nation were warmly reproached in all their assemblies, for not having engaged the Gauls on their side on any conditions whatsoever: that the Samnites were very angry with their magistrates, for having opposed the Roman troops with an army intended against the Lucanians; and lastly, that two powerful people having united their forces, it appeared, that there was every thing to apprehend from this war. The most illustrious Romans, offering themselves as Candidates for the Consulship, the general alarm of the city induced every body to cast their eyes upon Fabius Maximus, who did not stand at first; and when he saw that the suffrages seemed to declare for him, openly refused it. * "Why, said he, after having passed through all employments, and received all rewards, should they at his age solicit him to take upon him the command again? That he had no longer the same strength either of body or mind. That beside, he apprehended the capricious revolutions of fortune, and lest some divinity should at length find his success too great, too constant, and too much above the condition of a mortal. That he had succeeded to the glory of his ancestors, and that it was with joy he saw himself succeeded by others. That great honours were not wanting at

Liv. l. 10.
c. 13—15.

* Quid se jam senem, ac perfunctum laboribus laborumque præmiis, sollicitarent? Nec corporis nec animi vigorem remanere eundem. Et fortunam ipsam vereri, ne cui deorum nimia jam in se fortuna, & constantior, quam velint humanæ res, videatur. Et se gloriæ seniorum succrevisse, & ad suam gloriam consurgentes alios lætum adspicere. Nec honores magnos viris fortissimis Romæ, nec honoribus deesse fortes viros. Liv.

A. R. 454.
Ant. C.
298.

Rome to persons of valour, nor persons of valour to honours." This modest refusal only augmented the people's earnest desire of him. Fabius conceiving, that he might check them by respect for the laws, caused one to be read, by which it was prohibited to re-elect the same citizen Consul before the expiration of ten years. The noise and murmuring was so great, that it was scarce heard. The Tribunes declared, that law should be no obstacle to the desire of the assembly: and that they would propose to the people, that it should be dispensed with in respect to Fabius. The latter persisted in his refusal, and asked, "Why laws were made, if they were to be infringed by those who made them. * That the laws governed no longer, but were governed by the caprice of men." The People, however, persevered in their own opinion, and as each century was called upon to vote, it made no difficulty to nominate Fabius Consul. Overcome by so determinate an unanimity, "May the Gods, Romans, said he, make your choice successful. For the rest as you dispose of me at your will, grant me also one favour on your side, in giving me P. Decius for my colleague, a person certainly worthy of you, worthy of his father, and in whom I am sure, from the experience of the past when we were Consuls together, of finding a colleague disposed to live in perfect union with me." The demand seemed too just to admit a moment's hesitation. All the centuries that remained to vote, gave him the colleague he desired.

This year the Ædiles cited a great number of citizens to take their trials, for possessing more land than the law permitted. Almost none of them could justify themselves. This bold and resolute proceeding gave a powerful check to the avidity of particulars.

* Jam regi leges, non regere.

Q. FABIVS

Q. FABIVS MAXIMVS IV.

P. DECIVS MVS III.

A. R. 435.

Ant. C.

297.

Whilst the new Consuls deliberated together concerning the operations of the war, the number of troops it was necessary to levy for each army, and the province it was proper for each of them to choose, deputies arrived from Sutrium, Nepete, and Falerii, who informed the Consuls, that all the States of Hetruria held assemblies in order to treat of peace. This news occasioned the turning of the whole weight of the war against the Samnites.

The two Consuls set out at the same time from Rome, and marched into Samnium, Fabius through the territory of Sora, and Decius through that of the Sidicini: and they took different routes for the conveniency of forage and provisions, and to keep the Samnites in the greater uncertainty in respect to the place where they should attack them. When they arrived in the enemy's country, each ravaged it on his side, though with less attention to plunder, than to observe the enemy. The Samnites in consequence, who expected to attack them in passing a valley from an eminence, where they had posted themselves near Tifernum, could not surprize them. Fabius, having left his baggage in a place of security, with a body of troops sufficient to guard it, advanced with his army in order of battle to the place, where the enemy waited for him. The latter seeing themselves discovered, and that it was necessary to descend into the open field, prepared for battle with more valour than hope. For the rest, whether they had drawn together all the forces of Samnium, or that the extreme danger to which they were reduced, rendered them intrepid, they sustained the first attack with such incredible ardor and resolution, as gave the Romans terror. Fabius, seeing there was no making them give way, sent to tell the cavalry that their aid was necessary,

A. R. 455.
Ant. C.
297.

fary, the foot not being able to break the enemy. However, in case force should not succeed, he thought it necessary to use stratagem. He ordered Scipio his lieutenant to detach the Hastati of the first legion from the gross of the army with as little noise as possible, to take a compass with them as secretly as he could round the tops of the neighbouring mountains, and to make them shew themselves on a sudden to the enemy, and charge them in their surprize in the rear. All the orders of the Consul were punctually executed. But whatever efforts the horse used, they could neither break the ranks of the Samnites, nor penetrate them any where; and after many ineffectual attempts were obliged to retire from the fight. Their retreat infinitely augmented the courage of the enemy, and the Romans could not long have sustained so vigorous an attack, to which success added new force, if the second line, by the Consul's order, had not taken the place of the first. These entirely fresh troops put a stop to the impetuosity of the enemy. At the same moment, the Hastati appeared very opportunely on the top of the mountains, and raised loud cries. The alarm was great amongst the Samnites, and Fabius augmented it considerably, in spreading a rumour, that it was his colleague Decius who approached. All the troops immediately cried out with the greatest joy, that the other Consul was at hand with his legions. This error, which was of the greatest advantage to the Romans, put the Samnites into a consternation. In their fear of being attacked after a long and rude battle, that had extremely fatigued them, by troops newly arrived, and entirely fresh, they betook themselves to flight, and dispersed on all sides. This prevented the slaughter from being very considerable, and proportioned to the greatness of the victory. Only three thousand four hundred men were killed, and three hundred and thirty taken, with twenty-three ensigns.

The Apulians would have joined the Samnites before the battle, if the Consul P. Decius, who had encamped before Maleventum (afterwards called Beneventum) had not given them battle, and defeated them. They made no long resistance; and in consequence lost only two thousand men. Decius having nothing to fear from them, marched his troops into Samnium.

When he arrived there, the two Consular armies dispersing on all sides, ravaged the whole country during the space of five months. Decius encamped in forty-five different places, and the other Consul in fourscore and six. The troops left every where behind them in Samnium sad traces of their encampments. Fabius took also the city of Cimetra, and in it two thousand four hundred prisoners, and lost only four hundred and thirty men in attacking that place.

Fabius returned to Rome to preside in the election of the new Consuls. The Centuries that were first called upon to give their votes, continued him unanimously. Appius Claudius, a person of Consular dignity, who presented himself amongst the rest of the candidates, a warm and ambitious man, employed his whole credit, and that of all the nobility, in order to be elected Consul with Fabius; less, said he, for his private interest, than for the honour of the whole body of the Patricians, whom he was resolved to re-establish in the possession of both Consulships.

Fabius urged the same reasons as the year before for not accepting the honour the People were for conferring upon him. All the nobility surrounded his seat, and desired him to rescue the Consulship from the dregs and filth of the People, and restore the order of the Patricians, and the dignity itself, to their ancient splendor.

Fabius having caused silence to be made, calmed this warm sollicitude by a discourse full of reason and moderation. "He said that he should willingly have con-

con-

A. R. 455.
Ant. C.
297. contributed to the election of two Patricians, if he saw any other Consul besides himself intended to be chosen: but that in nominating himself, he could not consent to a thing directly contrary to the laws, nor be the author of so pernicious an example." In consequence, L. Volumnius the Plebeian was chosen Consul with Ap. Claudius, who had already been Consuls together before. The nobility reproached Fabius, with having avoided Appius as a colleague, because he knew his superiority, both in the talent of speaking, and the administration of civil affairs.

A. R. 456.
Ant. C.
296.

L. VOLUMNIUS, II.

AP. CLAUDIUS, II.

Liv. 1. 6.
c. 16.

After the election of magistrates, the preceding Consuls were continued in the command for six months, and they had orders to carry on the war in Samnium. Decius was actually upon the spot where his colleague had left him. He ravaged the country incessantly, till he had at length obliged the army of the enemy to quit it. Driven out in that manner from Samnium, they took refuge in Hetruria, and persuaded, that at the head of a numerous army, mingling terror with entreaties, they should more effectually succeed in what they had not hitherto been able to obtain by their deputies, notwithstanding their frequent attempts; they demanded that an assembly of the principal persons of the nation should be called. When they were assembled, they represented by Gellius Egnatius their general, how many years they had fought with the Romans for liberty. "That they had spared no means for sustaining the weight of so formidable a war with their own forces: that they had endeavoured to strengthen themselves by the aid of some neighbouring states of small power: that not being able to support the war, they had demanded peace of the Roman people: that by the desire natural to all men of preserving and re-instating their liberty, a desire which
force

force may reduce to be silent for a time, but can never entirely extinguish, they had thrown off entirely the yoke of servitude. That there now remained no resource for them but the Hetrurians. That they knew them to be the most powerful nation of Italy in arms, men, and riches, who had for their neighbours the Gauls, born in the midst of camps and arms, and naturally bold and fierce, especially against the Roman people, from whom they boasted with pleasure, and not without foundation, that they had taken their city, and reduced their haughtiness to ransom itself with money. That if the Hetrurians retained the same greatness of mind and generosity that Porfena and their ancestors had formerly shewn, they were in a condition to give the law to the Romans, to drive them out of all the country on this side of the Tiber, and to reduce them to fight, no longer for the empire of Italy, but for their own safety and preservation. That they had brought with them an army entirely prepared for service, and provided with arms, money, and every thing necessary for making war."

A.R. 456.
Ant. C.
296.

Whilst the Samnites, full of vain presumption, were so active in Hetruria, their country was abandoned to fire and sword. But Decius, exhorting his troops not to confine themselves to plundering the country, and to seek a richer booty in the cities, formed the siege of Murgantia, one of the strongest places in Samnium. The soldiers behaved there with so much ardor, that they carried the place by assault in one day. More than two thousand Samnites were made prisoners, with very considerable spoils. But that the troops might not be clogged with their booty, Decius advised them to sell it. The low price set on it, brought purchasers in crowds. The fate of Romulea was still more deplorable. The soldiers scaled its walls in an instant, took the city, and plundered it. Two thousand three hundred men were killed, and six thousand made prisoners in it. The booty was great, and the soldiers sold it as they had the first. Ferentinum made more

Liv. l. 10.
c. 17, 18.

A. R. 456. more resistance : about three thousand Samnites perished there.
 Ant. C. 296.

The discourse of Egnatius had produced all the effect that could be expected from it. Almost all the Hetrurians had taken arms : the people of Umbria were drawn in by their example, and the aid of the Gauls was solicited. This news occasioned great alarm at Rome. The Consul L. Volumnius was already set out with two legions for Samnium, and fifteen thousand troops of the allies. Ap. Claudius his colleague was ordered to march directly for Hetruria. He carried two legions, and twelve thousand allies with him, and encamped near the enemy. His sudden arrival served to prevent some States of Hetruria from taking arms : but in other respects he shewed little ability in his conduct, and had less success. He engaged at several times and places with disadvantage ; which highly augmented the enemy's boldness, and greatly discouraged the Roman army ; so that the Consul neither relied upon his troops, nor the troops upon the Consul.

Liv. l. 10. Things were in this condition, when Volumnius
 c. 18, 19. arrived with his army from Samnium, in effect of a letter which he pretended to have received from his colleague. Appius denied that he had wrote to him, and gave him a very bad reception ; asking him in an insulting manner, how he, who scarce sufficed for the affairs of his own province, came to obtrude his aid upon another without being desired. Volumnius replied without emotion, " That he came only in consequence of the letter he had received from him. That as it was a forged thing, he would set out immediately on his return for Samnium : That he was much better pleased with having made an useless march, than to find his colleague's army in a condition to want his assistance." They had already parted from each other, when Appius's lieutenant generals, and the principal officers of his army, repaired to him, and earnestly desired him not to refuse the aid which his good fortune offered him, and which he ought to have

have called in himself. Others applied to Volumnius, and conjured him not to betray the commonwealth through an ill-judged resentment to his colleague. They represented to him, "That if any misfortune should happen to the army, it would be imputed rather to him than to Appius, because it actually depended solely on him to have averted it. That things were in such a state, that from thenceforth the honour and disgrace of the good and bad success in Hetruria would fall solely on Volumnius. That nobody would enquire what Appius said, but in what condition and necessity the army was. That Appius indeed sent him away, but that the commonwealth and army required his continuance there: To confirm which he had only to sound the sense of the soldiers."

The army had insensibly assembled round the two Consuls. The same things which had been repeated in private, were there repeated in public, but with more extent. As Volumnius, who was undoubtedly superior in the present occasion of debate to his colleague, though much inferior to him in eloquence, which was Appius's great talent, expressed himself however with sufficient happiness and propriety; Appius, in a tone of raillery, said, "The world was obliged to him that Volumnius, formerly almost mute, was now become an eloquent speaker; that in the beginning of his first Consulship he could scarce open his mouth, and that now he made speeches and harangued in a popular manner." "I had rather," replied Volumnius, "that you had learned of me to act courageously, than I of you to speak eloquently." He added, "That to demonstrate which of the two Consuls was, not the best orator, that little concerned the commonwealth in the present conjuncture, but the best general, he gave him the choice either of Samnium or Hetruria; and that as for him, he should be satisfied with either of the two provinces which his colleague should think fit to leave him." The soldiers upon that demanded aloud, that they should both act jointly in Hetruria. Volumnius seeing this unanimous

A. R. 456.
Ant. C.
296.

A. R. 456. Ant. C. 296. nimous concurrence : " After having had the misfortune," said he, " of being deceived in respect to what my colleague would have of me, I will not expose myself to being again mistaken in what you desire of me, soldiers. If you desire I should stay, let me know it in a manner not obscure and ambiguous." The whole army raised so great and general a cry, that it made the enemy quit their camp, and immediately draw up in battle. Volumnius did the same. It is said that Appius, seeing whether he fought or no, his colleague would have the whole honour of the victory, was at first in suspense how he should act : but afterwards that his fear, lest his troops should follow Volumnius without him, determined him to give them also the signal, which they demanded eagerly.

Liv. l. 10.
c. 19.

The armies did not form themselves commodiously on either side. Egnatius, the general of the Samnites, was absent with a small detachment of foragers, and as his soldiers fought without either leader or orders, they followed only their own impetuosity. The Roman armies, on the other side, had not moved at the same time, and had not had time to form their ranks as they should have done. Volumnius was at blows with the enemy, before Appius came up. By an accidental change of enemy Volumnius had the Hetrurians, and Appius the Samnites, in front of him. The latter, in the heat of the battle, vowed a temple to Bellona, and believed himself that moment inspired with new ardor. Both Consuls discharged alike all the duties of generals. The soldiers on their side made extraordinary efforts, that the other army might not have the honour of giving the first turn to the victory. In consequence they broke and put the enemy to flight, and pursued them to their camp. Egnatius having hastened thither with his Samnites, the battle was renewed, and with more vigour than at first. The enemy were obliged to give way again. The victors already attacked the camp. The two Consuls encouraged their troops in emulation of each other,

other, who passed the fossés, tore up the palisades, and made themselves masters of the camp. The spoils, which were very considerable, were abandoned to them. On the side of the enemy, above seven thousand men were killed, and more than two thousand made prisoners.

A. R. 456.
Ant. C.
296.

Whilst the two Consuls, who had with them almost all the Roman forces, were employed in Hetruria, the Samnites having raised a new army, passed through the country of the Vescinians into Campania and the country of Falernum, and carried off a very great booty. Volumnius, who returned by great marches into Samnium, (for the term during which Fabius and Decius had been continued in command was upon the point of expiring) arrived happily at that instant. In passing through the country of the Calenians, he saw the still recent traces of the horrible ravages which had been committed there, and was informed, that the Samnites were near Vulturum, from whence they were to set out the following night, in order to deposite the rich spoils with which they were laden in Samnium, and then to return to their expedition. Having well assured himself of the truth of all these circumstances, he advanced, and halted at so proper a distance from the enemy, that his proximity could not make known his arrival, and he could fall upon them by surprize, when they quitted their camp. The thing happened as he had projected. He advanced very near the enemy a little before day, and making all his trumpets sound on a sudden, attacked them. It is easy to imagine their disorder and confusion. And to compleat their misfortune, the prisoners they were carrying away, having broken their chains, unbound their companions, and taking arms which they found amongst the baggage, turned them amongst themselves. They also did a memorable action. Seeing Staius Minacius, the Samnite general, running through the ranks and exhorting his soldiers, they fell upon him, took him prisoner, and brought him to the Consul. In this battle about six thousand men were killed, two

Liv. l. 10.
c. 20.

A. R. 456.
Ant. C.
296.

thousand five hundred made prisoners, with four principal officers, and thirty ensigns taken. But what gave the victors the greatest joy, was the recovery of seven thousand four hundred prisoners, whom the Samnites were carrying off, with all the booty which they had taken from the allies of the Romans. A day was given them to discover and take back what belonged to them: the rest was abandoned to the soldiers.

This incursion into the country of Campania had made a great noise at Rome; and terrible accounts arrived at the same time from Hetruria, that since the departure of Volumnius every thing was in motion there. That the Heturians and Samnites had taken arms again, that they solicited the Umbrians to revolt, and that they were endeavouring with money to make the Gauls enter into the common league. These fears were serious, and too well founded. The Senate in consequence decreed a suspension of business public and private, which was usual in great dangers of the Commonwealth. Great levies of soldiers were made, without distinction of age or condition, and even the old men and the freed-men were made to take arms. Nothing was omitted, that seemed necessary for the defence of the city.

The Prætor Sempronius, in the absence of the two Consuls, was at the head of affairs in the city, and directed all these measures. But letters from the Consul Volumnius with advice of the entire defeat of those troops of plunderers who had ravaged Campania, soon restored the tranquillity of Rome. The administration of justice, which had been suspended during eighteen days, was no longer discontinued. Public thanksgivings to the Gods were decreed in the Consul's name, for the great advantages he had gained, and the People acquitted themselves of that duty with a zeal and devotion very laudable in Pagans.

These advantages were in reality very considerable, and deserved to be regarded, not only as the effect of the good-fortune of Volumnius, but of his prudence, activity, vigilance, and other abilities in the art of war.

I ad-

I admire no less his extreme moderation and coolness of temper in his dispute with Appius, who makes no great figure on that occasion. A secret jealousy, which always argues a meanness of spirit, and especially his indecent raillery of a colleague, who had come a great way, and quitted his post, only to do him service, are some diminution of his merit, though great in other respects. The good success of the battle should, one would think, have reconciled him to Volumnius, and yet we see with pain the latter set out from Hetruria, without receiving the least mark of amity, or even esteem, from Appius, though a colleague, to whom himself and his army were undoubtedly indebted for being delivered from exceeding danger. Indeed nothing can be judged in respect to the letter the one said he had received, and the other denied he had wrote.

After the duties of religion were discharged at Rome, the next care was to secure the repose and tranquillity of the people whose lands had been ravaged by the Samnites. For this purpose, it was thought proper to settle two colonies, the one at the mouth of the Liris, which was called Minturnæ; and the other, on a neck of land, which took its name from the city of Vescia, near the territory of Falernum, where a Greek city called Sinope is said to have stood, and to which the Roman colony afterwards gave the name of * Sinuessæ. It was hard to find citizens that would enter themselves for these colonies, because they considered them less as quiet settlements, than as places always liable to be infested by restless and formidable neighbours.

* Livy, long before, mentioned these two cities, and gives them the names which they had not till a great while after.

